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FOR

JANUARY, 1851 APRIL, 1851.

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GENIUS, which is always welling up in copious streams from the great field of humanity, flows in different channels at different eras. In early times it took a warlike form, and the men of genius were conquerors and heroes. In later ages, as the world grew more pacific, and the relations of society more complex, the art of government became more important than the art of conquest, and the men of genius were statesmen and civilians. At other times the development of genius gave birth in predominating measure to painters and poets, who transferred to their canvas or their pages those graceful forms and exquisite imaginations which became to art the models of eternal beauty. The superb achievements of which human intellect is capable have in recent years chiefly shown themselves, in the sphere of physical science, and in the application of scientific discoveries to the furtherance of material civilisation; and natural phi-

sophers and engineers have been the real poets (*ποιηται, makers or doers*) and wonder-workers of our day. And now, when almost every desideratum in this line which imagination can conceive is either supplied, or in the way of being so — when turf is being made into candles, and water into gas — when the Isthmus of Panama is about to be cut through; and Paris and London are united by continuous wires — when we travel with the speed of wings, and communicate with the speed of light — it does seem as if the time were come for Genius to find a new field for its development and display; and there are many hopeful indications that the same glorious faculty which has reaped harvests of enduring laurels in most other departments, is about to take up the case of man himself. The time is come for the leading spirits to devote themselves, heart and soul, to the solution of those perilous enigmas of life which have so long formed our perplexity and our despair, and to the cure of those social anomalies which darken the fair face of the modern world and make us feel, sadly and humbly, how imperfect and partial is the civilisation we exult in. It cannot be that the same intellect — which has wrung from nature her most hidden secrets, which has triumphed over the most gigantic material obstructions, which has ‘exhausted worlds and then imagined new,’ which has discovered and described laws operating in regions of space, separated from us by a distance so vast that human imagination cannot picture it, and arithmetical language can hardly express it — should not, when fairly applied to social and administrative science, be competent to rectify our errors and to smooth our path; unless, indeed, society take refuge in the dreary creed, which never shall be ours, that the problem before us is insoluble and the wretchedness around us inherent and incurable.

‘ If this were so,’ says Mr. Mill, — ‘ if the bulk of the human race are always to remain as at present, slaves to toil in which they *have no interest, and therefore feel no interest* — drudging from early morning till late at night for bare necessities, and with all the intellectual and moral deficiencies which this implies — without interests or sentiments as members of society, and with a sense of injustice rankling in their minds, equally for what they have not and for what others have, — I know not what there is which should make a person with any capacity of reason concern himself about the destinies of the human race. There would be no wisdom for any one but in extracting from life, with epicurean indifference, as much personal satisfaction for himself and those with whom he sympathises, as it can yield without injury to any one, and let the unmeaning bustle of so-called civilised existence roll by unheeded.

' But there is no ground for such a view of human affairs.' There is a far greater probability of truth in a remark we once heard from Dr. Chalmers, — ' that the world is so constituted that if we were morally right we should be physically happy ;' and that all our sufferings and evils (so far as they exceed those inseparable from a finite and imperfect nature) may be traced to ignorance or neglect of those laws of nature which God has established for our good and has displayed for our instruction. We agree with the Socialists in holding that the world can never have been intended to be, and will not long remain, what it is. The apparent contradiction between the vast amount of unrelieved misery and the vast amount of energetic benevolence now existing in our country, which strikes so many with despair, inspires us, on the contrary, with the most sanguine hopes; because, in that benevolence, we see ample means of remedying nearly all our evils — means hitherto impotent and unavailing solely because misapplied. There is now, more than ever before, an adequate knowledge of the ills which are to be battled with and conquered ; there is energy without stint or limit waiting, panting to be let loose upon it ; there are agents without number only anxious to be shown how they can do good, without at the same time doing a more than counterbalancing amount of evil, — sometimes, alas ! *not* waiting for this guidance ; and there is money ready to flow in the most liberal abundance for the furtherance of any scheme which promises to relieve want or to assist exertion. All that is needed is the wisdom to direct this vast machinery for good, and a strong conviction on the part of the public that, unless it can be placed under the guidance of sound principle, it must be mischievous and not beneficent. This great lesson is at length beginning to be learned.

There are two classes of philanthropists — the feelers and the thinkers — the impulsive and the systematic — those who devote themselves to the relief or the mitigation of existing misery, and those who, with a longer patience, a deeper insight, and a wider vision, endeavour to prevent its recurrence and perpetuation by an investigation and eradication of its causes. The former — in imitation, as they imagine, of their Master — go from house to house assuaging wretchedness, but, alas ! not always 'doing good ;' relieving present evils, but too often leaving an increasing crop ever springing up under their footsteps ; attended and rewarded by blessings, but doomed, probably, at length to feel that they have ill deserved them. Far different is the course of the latter class : their life is spent in a laborious research into remote and hidden causes ; in a patient and painful analysis of the operation of principles from the

misapplication or forgetfulness of which our social disorders have sprung; in sowing seeds and elucidating laws that are to destroy the evil at a distant date which they themselves may never see,—while sometimes its pressure may be aggravated during the period which they do see. They are neither rewarded by the gratitude of those for whom they toil—since the benefits they confer are often blessings in disguise and *in futurum*;—nor gratified by beholding the fruit of their benevolent exertions—for the harvest may not be ripe till all of them have passed away and till most of them have been forgotten. Nay, more, they are misrepresented, misconstrued, accused of hardness of heart by a misconceiving generation, and too often cursed and thwarted by the very men in whose service they have spent their strength. And while those who have chosen the simpler and easier path are reaping blessings in return for the troubles they have ignorantly stimulated and perpetuated by relieving, these men—the martyrs of philanthropy—must find their consolation and support in unswerving adherence to true principles and unshaking faith in final victory; and must seek their recompense—if they need one—in the tardy recognition of their virtues by a distant and a wiser time. While therefore the warm and ardent natures, which can find no peace except in the free indulgence of their kindly impulses, are worthy of all love, and even, amid all the mischief they create, of some admiration for their sacrifices and zeal—and while we fully admit that they also may have a mission to fulfil—we cast in our lot with their more systematic fellow-labourers, who address themselves to the harder, rougher, more unthankful task, of attacking the source rather than the symptom—of eradicating social evils rather than alleviating them.

We can, however, sympathise keenly with those excellent women—and those kind-hearted men cast in somewhat the same mould—who ask, ‘Are we, then, to sit by with folded hands, and listen to the groans and gaze upon the misery around us, till Political and Economic Science—which we confess our incompetence to understand—has discovered and established the systems and institutions which will in time rectify the world? Are we to do nothing, lest we should sow some tares among our wheat—lest in doing good we should do some harm also?’ By no means. There is an ample field for every species of benevolence: and for this very numerous and most valuable class of philanthropists, the investigation and assistance of individual cases of difficulty and distress is the appropriate path. If instead of miscellaneous charity, which is at once so easy and so injurious, and instead of liberal sub-

scriptions to charitable institutions, which are so often misdirected and misconducted, they would take two or three "struggling individuals, or two or three destitute families, under their special charge, thoroughly examine into their condition" and its causes, aid them to escape from it or to mitigate its hardships, and put them in the way of an attainable livelihood, they would find that such a course might cost them more trouble, it is true, but less money ; and they would assuredly soon acquire the conviction that they had done more real good, and conferred more lasting happiness, than they could have brought about by ten times the outlay in subscriptions,—at the same time, that at all events, the service they had done will be unalloyed. The Governess' Benevolent Institution we believe to be one of the most useful, praiseworthy, and best-conducted that exists, and least open to economic criticism ; but, supposing each lady who, in the course of her life, subscribes 100*l.* to its funds and spends days in canvassing, personally or by letter, for an extension of its benefits to some favoured *protégée*, were to keep her eye fixed upon two or three individual governesses instead. Let her aid them in their struggles, advise them in their difficulties, comfort them in their distress, take them in for a period when they want a home, and, if they needed, (which, in case the surveillance had been judicious and effective, they seldom would,) console them with a small pension in their age,—would not the aggregate number of cases relieved and the aggregate of happiness conferred be far greater and far surer than by the present system ? To make our meaning clearer, we will quote from 'Alton Locke' a case of heart-renting distress; which, though in a work of fiction, we willingly believe — or rather, we are compelled to believe, however unwillingly, — to be deplorably too near the truth : —

" There was no bed in the room,—no table. It was bare of furniture, comfortless, and freezing cold ; but, with the exception of the plaster dropping from the roof, and the broken windows patched with rags and paper, there was a scrupulous neatness about the whole which contrasted strangely with the filth and slovenliness outside. On a broken chair by the chimney sat a miserable old woman, fancying that she was warming her hands over embers that had long been cold, and muttering to herself, with palsied lips, about the guardians and the ~~workhouse~~; while upon a few rags on the floor lay a girl, ugly, marked with small-pox, hollow-eyed, emaciated,—her only bed-clothes the skirt of a large handsome new riding-habit, at which two other girls, wan and tawdry, were stitching busily as they sat right and left of her on the floor. The old woman took no notice of us as we entered ; but one of the girls looked up, and, with a

pleased gesture of recognition, put her fingers on her lips, and whispered "Ellen's asleep."

"I am not asleep, dears," answered a faint unearthly voice; "I was only praying. Is that Mr. Mackaye?"

"Aye, my lasses; but ha' ye gottenna fire the nicht?"

"No," said one of them bitterly, "we've earned no fire to-night by fair trade, or foul either."

I saw Mackaye slip something into the hand of one of the girls, and whisper "A half hundred weight of coals;" to which she replied with an eager look of gratitude I can never forget, and hurried out. Then the sinner, as if taking advantage of her absence, began to speak quickly and hurriedly.

"Oh, Mr. Mackaye,—dear kind Mr. Mackaye,—do speak to her; and do speak to poor Lizzy here! I'm not afraid to say it before her because she is more gentle-like, and hasn't learnt to say bad words yet; but do speak to them, and tell them not to go the bad way, like all the rest. Tell them it'll never prosper. I know it's want that drives them to it, as it drives all of us,—but tell them it's best to starve and die honest girls than to go about with the shame and the curse of God on their hearts for the sake of keeping this vile, poor, miserable body together for a few short years more in this world of sorrow. For Lizzy here, I did hope she had repented of it after all my talking to her; but since I've been so bad, and the girls have had to keep me most of the time, she's gone out o' nights just as bad as ever."

Lizzy had hid her face in her hands the greater part of this speech. Now she looked up passionately,—almost fiercely:—

"Repent!—I have repented,—I repent of it every hour: I hate myself, and hate all the world because of it; but I must—I must: I cannot see her starve, and I cannot starve myself. When she first fell sick she kept on as long as she could, doing what she could; and then between us we only earned three shillings a week: and now Ellen can't work at all; and there's four of us with the old lady to keep off two's work that couldn't keep themselves alone."

At this moment the other girl entered with the coals. "We have been telling Mr. Mackaye every thing," said poor Lizzy.

"A pleasant story isn't it? Oh! if that fine lady, as we're making this riding-habit for, would just spare half the money that goes in dressing her up to ride in the Park, to send us out to the colonies, wouldn't I be an honest girl there? May be an honest man's wife! Oh my God! wouldn't I slave my fingers to the bone for him! wouldn't I mend my life there! It'd be like getting into heaven out of hell. But now we must—we must, I tell you."

And she sat down and began stitching frantically at the riding-habit, from which the other girl had hardly lifted her eyes or hands for a moment during our visit.

Now the question we wish our readers to ask themselves is this: If some lady or gentleman, whose soul is harrowed by hearing of such wretchedness as is here pictured, instead of

rushing wildly, to join or to found a Society for sending distressed needlewomen out of the country by wholesale, would *take in hand the individual case*, relieve the momentary want, search into the causes which have led to it, give these poor girls temporary work, put them in the way of regular employment, and, if found desirable, aid them, by private and careful benevolence, to reach the colonies, — would not the amount of misery assuaged and prevented be not only infinitely greater, but the good done incalculably more unalloyed? To be sure, the one method is easy and immediate, the other would be laborious, might be slow; the one is public, the other private and unostentatious; but if done in secret, we are told it shall be rewarded openly. We are far from wishing to discourage combined benevolence: we do not for a moment mean to maintain that all charitable associations are unsound in their basis and noxious in their operation. What we desire to inculcate is this: that those whose feelings are too vivid, whose judgment is too impatient, or whose reasoning faculties are too untrained, *to allow them to study philanthropy as a science*, have no business with charity on a great scale, and cannot safely intermeddle with *institutions* which are engines of immense good or immense evil, according as they harmonise with or violate those principles of economical philosophy, to the investigation of which these parties confess themselves, by temperament or by capacity, inadequate. With such powerful instruments none should have any thing to do whose feelings are too quick and vehement to leave their heads clear; and it is not from those who read much and see a little of particular forms and scenes of misery — whose eyes are suddenly opened, by such revelations as the press has lately poured forth, to the existence of an abyss of wretchedness of which, till now, they had never dreamed; — who are dazzled with the flood of darkness let in upon them; — and who have no experience to sober their conclusions and no previous knowledge to mitigate their horror, — that a comprehensive and unexaggerated judgment can be looked for. It is not from men whom the endurance or the spectacle of suffering has driven frantic, that cool deliberation, needful caution, or wise and salutary action can be hoped.

The pamphlet at the head of our article, entitled ‘Cheap Clothes and Nasty,’ is a proof of this. It is well known to proceed from the pen of Mr. Kingsley, a clergyman of the Church of England, a zealous and experienced parish priest, a gentleman of great literary ability, of very impatient benevolence, and evidently of somewhat impulsive and superecilious temper towards all who would cheek his hasty conclusions, or

proceed by a different path to the attainment of a common end. His feelings were strongly excited by Mr. Mayhew's letters in the 'Morning Chronicle'; and, as he himself states, he incontinently became demented, and put forth a tract full of raving wholly unworthy of his scholarship and station, and containing much abuse of the economists, who so far, after all, are only philanthropists more sober, thoughtful, and wary than himself. He opens thus: —

' King Rycnce, says the legend of Prince Arthur, wore a paletot trimmed with kings' beards. In the first French Revolution (so Carlyle assures us) there were at Meudon tanneries of human skins. Mammon, at once tyrant and revolutionary, follows both these noble examples — in a more respectable way doubtless, for Mammon hates cruelty; bodily pain is his devil — the worst evil which he, in his effeminacy, can conceive. So he shrieks benevolently when a drunken soldier is flogged; but he trims his paletots, and adorns his legs, with the flesh of men and the skins of women, with degradation, pestilence, heathendom, despair; and then chuckles complacently over the smallness of his tailor's bills. Hypocrite! — straining at a gnat, and swallowing a camel!

" 'The man is mad,' says Mammon, smiling in supereilious pity. Yes, Mammon; mad as Paul before Festus; and for much the same reason too. Much learning has made us mad. From two articles in the "Morning Chronicle," on the condition of the working tailors, *we learnt too much to leave us altogether masters of ourselves.*'

Now, that reading such accounts of the sordid wretchedness of thousands of his fellow-creatures should have deprived Mr. Kingsley of his self-possession, is natural and pardonable — an amiable weakness at the worst. That he should have been roused to spread far and wide a knowledge of those facts which had so startled and pained him, was natural and right also, *provided he took due pains in the first instance to assure himself of the unexaggerated correctness of these facts;* but when he proceeded to assign the cause and to vituperate the imagined authors of this suffering, a conscientious man ought to have felt that something more was demanded than a mere surrendering of himself to the guidance of his feelings. A few hours of cool reflection, a little charity towards antagonistic reasoners, and some faint mistrust of his own mastery of a science which he loathes and despises too much to have studied, would have induced him to suppress the foolish sneers at political economy with which his writings abound, and would have saved him from sending forth such disreputable rant as this: —

' Sweet competition! Heavenly maid! Now-a-days hymned alike by penny-a-liners and philosophers as the ground of all society — the only real preserver of the earth! Why not of heaven too? Perhaps

there is competition among the angels, and Gabriel and Raphael have won their rank by doing the maximum of worship on the minimum of grace? We shall know some day. In the meanwhile, "these are "thy works, thou Parent of all good!" Man eating man, eaten by man, in every variety of method and degree. Why does not some enthusiastic political economist write an epic on "The Consecration of Cannibalism?"

We should not be disposed to treat with any great severity the absurd or violent language of a benevolent man whose understanding has been driven desperate by the sight of suffering which he cannot relieve, and which he feels certain ought not to exist; but in the diatribes against political economy,—which, in this case, is merely *benevolence under the guidance of science*,—and which so many sincere philanthropists delight to study, a feeling very different from philanthropy may be detected; an intolerant, contemptuous spirit; a restless unwillingness to submit to criticism, examination, or control; and a prompt recurrence to persecution and abuse,—which call for the strongest reprobation. In all times and among all classes it has been the clue of the violent, the impulsive, and the fanatical, to cast vituperative epithets on troublesome opponents. The hasty innovator abuses the cautious reformer as an advocate of despotism; the timid conservative confounds the friend of sober freedom with the anarchist; and the man of orthodox but narrow piety is not ashamed to fling the name of Atheist upon all whose conceptions of the Deity are purer and loftier than his own. The unreasoning philanthropist, grown insolent from a persuasion of his own righteousness, goes to work in a similar manner: he does not scruple to inveigh against all, as cold and hard-hearted, who are clear-headed enough to see and to denounce the evil consequences which must result from his inconsiderate and short-sighted proceedings,—all whom a deep, almost religious, sense of their responsibility, forbids to act before they think. In the very spirit of the Pharisee, he assumes that he alone is sympathising and tender-hearted; and that all those who—taught by a longer experience, a deeper insight, a more studious inquiry,—would prevent him from losing the battle by charging headlong before the line is formed, or the weapons distributed, or the ground examined, are selfish, indifferent, and unfeeling. Little do the mere impulsive philanthropists know, and ill can they appreciate, the strenuous effort, the stern and systematic self-control by which the votary of economic science, the benevolent *man of principle*, keeps his head cool and clear in the midst of the miseries he is called upon to contemplate, and the resolute nerve which is needed to throw cold water on the mischievous

schemes of sanguine and compassionate contrivers. While these men rush fiercely on social evils, fancying it possible to sweep them away by a *coup de main*, and always insist upon scrambling out of the bog on the wrong side, simply because it is the nearest; — the very aim of the philosophy they misconstrue and decry is to save them from the sin and the remorse of aggravating the evils both deplore by setting out to combat them upon a wrong system. Its purpose is, to teach them *how* to combat, and it seeks to marshal them so as to secure the victory: though, in their self-opinionated and suspicious haste, they accuse it of lukewarmness or of treachery, and blindly commit themselves to the keeping of blind guides. We will not fall into their error, and proclaim the political economists to be the only genuine philanthropists; but we do deliberately claim for them the merit of the highest and most difficult order of benevolence. We claim for them the character of being, with the exception of those laborious and searching administrators of private charity of whom we have spoken above, the only philanthropists whose efforts do not issue in a preponderance of evil; the only ones who have the manliness to withstand hasty impulses, the industry to investigate before they decide, the judgment to allow the head to direct while the heart prompts to action; the only ones whose charity is under the guidance of a strict conscience, a lofty purpose, and a humble mind; the only ones, therefore, whose benevolence rises from a mere good feeling to the height and the dignity of a virtue.

Mr. Kingsley, therefore, and writers of his school, when they permit themselves to indulge in language calculated to raise distrust and prejudice against economic thinkers, are guilty not only of bearing false witness against fellow-citizens and fellow-labourers, but of leading the zeal of the humane away from the direction in which alone it can yield the fruit desired. For, all schemes of social amelioration which violate the principles of economic science must come to nought; — all which are consonant to them will find, from economists, a ready welcome and hearty co-operation. It is probably because Mr. Kingsley has a dim consciousness that sound science will condemn his prospects and detect their fallacy, that he indulges in such bitter diatribes against it. He has satisfied himself with a half comprehension of the subject, and appears to have shrunk from the intellectual effort which a thorough investigation would require. An inquiry so vast, so difficult, so momentous, — where a false doctrine or a false step may involve consequences which will echo through all time, — demands no common qualities. It demands, primarily and pre-eminently, a close observation and humble imitation of the plans of Providence, as far as it is

given to man to discern them and to aid in their accomplishment; it demands profound compassion, but profounder patience; boundless sympathy with every form of suffering, combined with quiet resolution in the application of the most searching probe; an unshaken conviction that no great cardinal truth of science can be discarded with impunity, or worshipped and followed without leading to ultimate and mighty good; a firm faith that sound principles will, in God's good time, however slowly and through whatever tribulation, work out his merciful and happy ends; and that no *short cuts* unsanctioned by these principles — such as human infirmity and natural impatience under suffering, either witnessed or endured, are constantly tempting us to take — can lead us one moment sooner to our goal; and, finally, it demands nerve to wait, alike through the distresses of others or our own, till the appropriate seed has ripened into the appointed harvest. Providence makes no short cuts; and by the whole course of history has taught us that, if we attempt them, failure and disappointment must be the inevitable issue. ‘Patient, because eternal;’ acting by grand and immutable laws, which it is the province of science to discover, and the part of wisdom to obey; silent, steady, and unswerving; ‘without haste, but without rest;’ the Great Ruler of humanity leads us onwards towards the accomplishment of our destiny, in a progress which we cannot quicken, but may retard, by endeavouring to withdraw ourselves from his ordinances, and accelerate his march. ‘La Providence,’ says M. Guizot, ‘ne s’inquiète de tirer aujourd’hui la conséquence du principe qu’elle a posé hier; — elle les tirera dans les siècles, quand l’heure sera venue; et pour raisonner lentement selon nous, sa logique n’est pas moins sûre. La Providence a ses aises dans le temps; elle y marche en quelque sorte comme les dieux d’Homère dans l’espace, — elle fait un pas, et des siècles se trouvent éoulevés.’

The form which the ideas of many of the anti-economic philanthropists of whom we have spoken have of late assumed, tends towards an entire remodelling of the existing arrangements of society. In one shape or another, the doctrines of communism or socialism have acquired an importance and spread to an extent which entitle them to serious and dispassionate consideration. As long as socialism was confined to the turbulent, the wild, and the disreputable, and was associated with tenets which made it at once disgusting and contemptible, perhaps the wisest plan was to pass it over in silence, and suffer it to die of its own inherent weakness. But now, when it has appeared in a soberer guise and purified from much of its evil

intermixtures; when it has shown itself an actual and energetic reality in France; when it has spread among the intelligent portions of the working classes in our own country more extensively than is commonly believed; when it raises its head under various modifications, and often as it were unconsciously, in the disquisitions which issue from the periodical press; when a weekly journal, conducted with great ability as to every thing but logic, is devoted to its propagation; and when clergymen of high literary reputation give in their scarcely qualified adherence, and are actively engaged in reducing to practice their own peculiar modification of the theory — it would no longer be kindly or decorous, to ignore a subject which is so deeply interesting to thousands of our countrymen; and we believe we shall be doing good service by attempting, in a clear and concise form, to extract the truth and eliminate the error which are so strangely intermingled in the system, — by a generous recognition of all that is sound and valuable, and a frank exposure, in no bitter or contemptuous spirit, of whatever is erroneous, untenable, and pernicious.

Socialism is no new doctrine. From the earliest times men have been shocked and grieved by the evils which have prevailed in every land and in every form which society has yet assumed: subtle and ingenious thinkers have imagined model republics in which no misery should exist; and zealous and earnest philanthropists have endeavoured to realise these high imaginations and put them in actual operation. The societies thus conceived or created have assumed every possible variety of form. We have had republican-societies, like Plato's, Fourier's, and Babœuf's; hierarchical and aristocratic, like St. Simon's; theocratic, like the Essenes; despotic, like that of the old Peruvians and that of the Jesuits in Paraguay. Some have been based on purely material principles, like Mr. Owen's; some have been profoundly spiritual and religious, like the Moravians; some maintain the family arrangements, some altogether merge them; some recommend celibacy, as the Essenes; some enforce it, as the Shakers; some, like the Owenites, relax the marriage tie; some, like the Harmonists, control it; some, like the Moravians, hold it sacred and indissoluble; — others, again, like Plato and the Anabaptists of Munster, advocate a community of women. Some would divide the wealth of the society equally among all the members; some, as Fourier, unequally. But one great idea pervades them all — community of property, more or less complete and unreserved — common labour for the common good.

Now, we are little disposed to break butterflies upon the wheel. We have, too, a deep sympathy with men, and classes

of men, who are endeavouring to struggle upwards under popular obloquy, and to cast off a bad reputation either by showing that they have never deserved it, or that they deserve it no longer. In speaking, therefore, of Socialism, (or Communism, as we believe it wishes to be called in England,) we shall not attempt to excite prejudice against it by calling to mind what it *has* been, what bad company it has kept, to what conclusions it might be logically driven, with what scandalous and frightful scenes it has been connected in past time and in other lands. We shall not attempt to show what a poor intellectual development has prevailed in all the societies of which it has been the foundation; we shall not crucify afresh the low and fatal doctrine of the Owenites, and of nearly all the Communists, in deifying the omnipotence of external circumstances; we shall not again expose that sad mixture of despotism and licentiousness which desecrated and destroyed St. Simonism; we shall not take advantage of the admission of the most recent and almost official advocate of Communism, Mr. Thornton Hunt, that community of property, logically followed out, will, in the end, destroy the institution of marriage. We will forgive the Communists all their unlucky associations and all their disreputable antecedents; and we proceed to criticise their theory and their proceedings solely in the modified and sobered form which they have now assumed. The position which they take is this:—

Society is altogether out of joint. Its anomalies, its disfigured aspects, its glaring inequalities, the sufferings of the most numerous portion of it, are monstrous, indefensible, and yearly increasing: mere palliatives, mere slow improvements, mere gradual ameliorations will not meet its wants; it must be *remodelled*, not merely furbished up. Political economy has hitherto had it all its own way; and the shocking condition into which it has brought us, shows that its principles must be strangely inadequate or unsound. The miseries of the great mass of the people,—their inability to find work, or to obtain, in return for such work as can be performed in reasonable time and by ordinary strength, a sufficiency of the comforts and necessities of life,—may all be traced to one source—*competition*, instead of combination. The antagonistic and regenerative principle which must be introduced, is *association*. Let workmen associate with one another, instead of competing with one another, and there will be work and wages enough for all. Competition is a cruel and unchristian system! Association breathes the very spirit of our divine Master. Such is the ground taken by Messrs. Kingsley and Maurice; such is the foundation of the various Associations of working men which

have been recently formed in London and in Paris, and which are spreading through the country ; and such we are willing to regard as the form which English Communism has assumed, and under which it has to be discussed.

In the first place, the assertion that ‘ political economy has hitherto had it all its own way,’ and is therefore chargeable with the present state of things, we meet with the most prompt and peremptory denial. It is not only not true, but is precisely the reverse of true. Economists affirm, and with perfect justice, that the existing wretchedness of England is directly traceable to ignorance, neglect, and systematic violation of the principles of political economy. It is difficult to name a single precept of that science, which has not been either lost sight of, or habitually contravened. Political economy says, Industry ought to be as unshackled as the wind ; restriction cripples it ; protection misdirects it ; the two together diminish its productiveness, and the number of mouths it can support. Yet till five years ago, when, within the historic period, *has* English industry been free and unimpeded ? Political economy, re-echoing Christianity and common sense, long since proclaimed ‘ that if any man would not work, neither should he eat :’—our law has enacted that a man shall eat, whether he will work or not. Political economy, repeating the simple teachings of morality, announced that if a man married without means or prospects, and brought children into the world whom he was unable to support, he acted unjustly and selfishly, as well as imprudently, and that the correction of his fault should be left to its natural results :—the law stepped in between the cause and its consequence, between the folly and its cure, and declared that if he could not support his own children, the prudent, the industrious, and the self-denying should do it for him. Political economy, reiterating the dictates of Nature, proclaimed that the larger the family a man had to support by his labour, the scantier must be the allowance of each member of it ; the common custom, till 1834, was to increase the peasant’s wages or allowance with every additional child that was born to him. Political economy said to the labourer, If population increases faster than the field of employment enlarges, or the demand for labour augments, your position will inevitably deteriorate :—divines and county magistrates scouted such philosophy, and inculcated upon their hearers ‘ increase and multiply,’—the strength of a country lies in its numbers,—‘ dwell in the land, and verily thou shalt be fed.’ Lastly, political economy said, Industry, frugality, forethought, and perseverance shall not fail of their reward,—nor indolence, unthrift, and crime escape a bitter and certain retribution ; the

condition of the former must, under any circumstances, be immeasurably and obviously preferable. But no such thing. Disappointed and discouraged virtue sarcastically points on the one side,—to the half-famished labourer and the struggling and squalid artisan; on the other,—to the pauper, better fed and more warmly clothed, and his children gratuitously and admirably educated, and to the criminal in a model prison, with his comfortable cell, his warm and cold water, his cocoa, his soup, his Bible, and his bell,—and asks if political economy *has* indeed ruled this anomalous and enigmatic world.

In the second place, one of the chief notions which lie at the root of this vast scheme for associated labour, is precisely the same which dictated the *guilds* in the middle ages,—the desire to proportion the supply of labour to the demand, by previous arrangements. It is a step back into the past. In one of the letters written to explain ‘what Communism is,’ which we have placed at the head of this article, Mr. Hunt thus expresses himself:—

‘The fundamental principle of all communistic theories and systems—call them by what name you will,—is the principle of *concert in the division of employments* The principle of Communism appears to me to be the complement to the division of employments. The theory is, that if several men combine their labour, and divide the several employments among them, the economy of time, and the acquisition of skill, will increase the amount of produce; and no one will deny that the gross increase of produce must be beneficial to society. Such is the theory; but what do we find to be the fact? The fact is that the gross amount of produce is not proportionably increased; that to many of the dividers of labour it is not increased at all; and that the return of produce for labour is in no respect apportioned to exertion. I find the plain and direct ground of this in *want of concert*. It is plain that if any given number of men combine, and divide employments, they *can* make their labour much more productive, *if* there is some concert between them as to the distribution of their labour; but if there is not that concert, the chances are that some of them will be working in duplicate—producing glut; others working at things not wanted; others doing about the right thing; and a few hitting on something very valuable. And when they come to divide their produce by the principle of trading exchange, a fair share will go to those who have done the right thing, half-a-share a-piece to those who have been working in duplicate, nothing to those who have worked, however honestly, yet uselessly, and an accumulation of several shares to him who has hit upon the most precious something. Precisely a description of our unorganised labour.

‘It is presumed that competition increases produce more than concert would. This is a very gross presumption, and I believe a very

erroneous one. In the first place, it is quite clear that the greatest amount of produce would be obtained by the best distribution of labour, which cannot possibly be obtained without concert;—secondly, competition draws labour from the least remunerative to the most remunerative; but those which by no means “pay” best, according to the trading exchange, are among those which are most certain and profitable for society: competition, therefore, disturbs the right distribution of labour.’

The whole passage appears to us very characteristic of the school from which it emanates; it presents a fair and by no means an exaggerated specimen of that incompleteness and feebleness of the logical faculty, that easy resting in a *half-understanding*, that complacent satisfaction with a partial glimpse, that mixing up of things totally distinct (as the *produce* of labour with the *distribution* of that produce), — which hinder so many excellent philanthropists from arriving at a recognition of their own errors. Stripped of needless verbiage, Mr. Hunt’s idea seems to be this; that labour would be both more productive and better rewarded were the number of labourers in each department exactly proportioned to the need which the world has of the produce of that department; were there just the right number of tailors, shoemakers, blacksmiths, carpenters, graziers, and corn-growers; and were this ‘just right number’ ascertained before-hand. We may grant him his position. But how can this vital point be ascertained before-hand? How can it be ascertained at all, except by free competition, which will soon bring us the needed knowledge, by showing us which branches of industry are most, and which least, remunerative, i. e. *which branches of industry have the fewest, and which the most labourers in proportion to the demand for their produce.* If any kind of labour does not pay, this is a sign that it is not wanted, and will be abandoned; if any one pays ill, this is a proof that there are too many labourers employed in it, or, as Mr. Hunt expresses it, that they are ‘working in duplicate.’ Mr. Hunt would ascertain all this, not by experience, but *à priori*, ‘by concert.’ Has he ever troubled himself to consider by what machinery this preliminary concert can be managed? how the requirements of the world for this or that article can be discovered, otherwise than by making it, and seeing if the world will buy it? Would he have committees—boards of *prud’hommes*—to decide when an additional tailor, or a score of fresh bricklayers are wanted, and to forbid the existence of such till the want is clearly made manifest? No doubt some dim idea of this sort was in his mind when he penned the passage we have quoted. But all this has been tried ages since, and is even now

in partial operation in many parts of the Continent. This was the basis of the guilds of old. The incorporated tradesmen had a monopoly of their special branch of industry; they decided how many apprentices each man should be allowed to educate; how many masters should be admitted yearly into the confraternity: if the demand for coals, or watches, or furniture was slack, they restricted their numbers; if, on the contrary, society required these articles, or any others, in increased quantities, they, after a considerable enhancement of price, graciously permitted a moderate multiplication of the needful handcraftsmen. We presume this is the system which Mr. Hunt would introduce; for between ascertaining the number of labourers required in each department by some method of this kind, or by the results of free competition, we can discern no third alternative. Is he then prepared to take the consequences of such a regulating power? and is he aware that the system was only enabled to work in former days, and could only work now, by such stern restrictions on marriage and multiplication as the operative classes would fiercely revolt from? And that if they would submit to such restrictions, the competition system would work at least as well as any other?

Concert, then, as an opponent to or substitute for competition, in solving the problem of the wisest distribution of labour, is either a chimera or a tyranny. So applied, it delegates to a few men sitting in committee the decision as to the number of workmen required in each department, and the right of warning all others off the ground; while it expects from these men a wisdom and omniscience, which neither individuals nor corporations could by possibility possess. Let us, now proceed to examine a little more closely the principle and the organisation of these 'Associations of workmen' which have been recently established to carry out the communistic idea; and let us endeavour to ascertain whether any and what fallacies and sources of failures lie hid in their constitution.

In Paris there are said to be already one hundred and fifty of these working Societies. Cabinet-makers, jewellers, cooks, bakers, paviours, tailors, watch-makers have formed themselves into a number of Associations, each working in common, trading on their own capital, and dividing their gains among themselves, instead of working for a master. Some of the Associations have succeeded, some have failed; some just maintain a precarious and struggling existence. Some are formed on sound principles, some on unsound. Some divide profits equally among all the associates, some divide them in proportion to the earnings. We rejoice to see the spirit, energy, and faithfulness with which

many of these experiments are carried out; and we wish them all possible success. In England similar Associations have been formed, and are increasing in number, especially among the tailors, needlewomen, and shoemakers of the metropolis. One of these has acquired considerable celebrity, viz. the 'Working Tailors' Association,' in Castle Street, and, as this is supposed to have been constructed with the greatest care, and to owe its origin to the most educated and sober portion of the Christian Socialists, we shall select it as our *pierre-de touche*.

The condition of the working tailors of the metropolis, 23,000 in number, appeared from the descriptions in the 'Morning Chronicle,' to be so deplorable and so unjust,—owing, as was alleged, to the system of contract work, sweepers or middle-men, and excessive competition,—that a number of benevolent men, with Mr. Maurice and Mr. Kingsley at their head, resolved upon an attempt to rescue them from such wretched degradation, and, if possible, beat out and destroy the slop-sellers. For this purpose they subscribed 300*l.*, rented some suitable premises, and fairly started in business a body of operative tailors, now numbering at least thirty, under the management of a Mr. Walter Cooper, himself a tailor, a chartist, and a person of considerable influence and ability. 'The principles on which the association is conducted are those of the most moderate form of socialism; that is to say, the association is not communistic, as we have defined the word, but simply co-operative. The manager, Mr. Cooper, who is absolute master until the association shall have repaid the capital advanced to it, receives a salary of 2*l.* a week; the other members work by the piece, according to a fixed tariff of prices. All work is done on the premises. No Sunday labour is allowed. Interest at the rate of four per cent. is paid on the capital lent. One-third of the net profits is by common agreement devoted to the extension of the Association by the admission of new members; the remainder is to be divided among the workmen in the ratio of their earnings, or otherwise applied to their common benefit.'

Now in all this there is nothing to which the purest political economist could object, with the single exception that the Association is trading on borrowed capital; the capital not being attracted to the trade by the expectation of profit, but being artificially directed into a business already overstocked. If, however, (as is generally the case in the Parisian Associations) this capital had been supplied by the workmen themselves, the Association would have presented no vulnerable point of criticism, and every economist would have bid it God speed! But it is evident that here is nothing new; the Association is simply a large co-partnership, ~~as~~ such as Mr. Mill, a sound economist, advised,—such

as we advocated two years ago in our 180th Number,—such as the ‘Economist’ newspaper (the great bugbear of the Communists) advocated many months ago, and was claimed by Mr. Hunt as an unconscious socialist for so doing. In this Association the labourers work *under a directing head* for wages fixed by him, and, as they themselves own the capital, they naturally divide among themselves the capitalist’s profit. The ‘Needlewomen’s Association’ is formed on the same plan. The superintendent gives out and allots the work, and ‘*has the power of dismissal, subject to the ladies’ committee or the lady visitor of the day.*’ The superintendent here, and Mr. Cooper in the other case, represent *the master as superintendent*, and the workmen (as soon, at least, as they have paid their debts) represent *the master as capitalist*; the former, therefore, receives that portion of the master’s profit which repays his superintendence, and the latter that portion which repays his capital. In what way, then, does this arrangement differ from the ordinary relations of capital and labour? Were not many great capitalists labourers to begin with? Are not many great capitalists labourers still, and do not two or more of these labouring capitalists often unite in partnership? Where, then, an Association of working men is so constructed as to violate no principle of sound economy, it introduces no new element and no new arrangement,—nothing, therefore, from which any sudden re-modelling or renovation of society can be hoped,—nothing which needs to be announced with flourish of trumpets.

It is evident that these two Associations contain within them one essential element of success, which is absent in theoretic socialism,—*a master’s hand.* As long as this is allowed, submitted to, well chosen, and well paid,—*in proportion, that is, as the existing arrangements are approximated to,*—so long the institutions will do well. Only under a master, or, manager endowed with adequate authority, can an Association composed of many members hold together.* This has already been made clear in more than one instance in France. M. Leclaire’s experiment has succeeded admirably, because he is absolute and uncontrolled governor. But in two cases which we know of, a reduction in the number of members was found necessary to save the Associations from breaking up. The ‘Working Jew-

* We read in the ‘Athenaeum’ of Dec. 7., that ‘three hundred men on strike have taken a mill!’ The apostrophe is deserved; and the fact speaks well for the enterprise of the Manchester weavers. But, if the mill is really ‘conducted by three hundred operatives,’ it cannot long continue ‘in successful operation,’ unless upon the conditions mentioned in the text.

'ellers' Association' numbered seventeen members, but was dissolved and re-constituted with only eleven. The watch-makers have been obliged to reduce their numbers to six, and all new members are admitted with great caution and difficulty. A despotic element is necessary when the Society is to be large.

The second remark we have to make is this; — that these enterprises, which are announced to us as being, if successful, the solution of the social problem, evade the whole difficulty. *How is it that the sweating system, with all its alleged cruelties and oppressions, is possible?* Why are the slop-sellers able to get the operatives so completely in their power,—to fix their wages, and to dictate terms? Why is it that the journeymen-tailors are so powerless that they must accept any wages that are offered to them? Clearly because they are more numerous than the demand requires. Does Mr. Kingsley suppose, that if the 23,000 tailors in London were to be suddenly reduced to 15,000,—the coats and trowsers required by society remaining the same,—the slop-sellers could compel them to work for them if they did not wish, or to work at all, except in localities of their own choosing, and on their own terms? Does he not perceive that, in the event of such an occurrence, it would be the men and not the masters who would dictate terms? Is it not abundantly obvious, that the misery and slavery of the London tailors and needlewomen arise *primarily* from the clothing needs of the metropolis being inadequate to keep so many in full and constant employment? Now, have these Associations, — which they are told will rescue them, — the slightest tendency, either to augment the demand for clothes, or to diminish the numbers of the clothing artisans? If not, how can they effect any purpose, except that of ameliorating the condition of the few who become members of them?

'Oh! but' (they reply) 'we purpose in time to organise all the tailors in the metropolis into similar Associations.' Very well; follow out your process, and see where it will lead. The fact you have to meet is this; — there are 23,000 tailors in existence, with full and constant work only for 15,000; as you continue your benevolent organisations, you will in the end have associated these 15,000, and secured to them a comfortable and continuous subsistence. *What will then have become of the residual 8000?* Will you cast them out to starve? Will you support them by a charitable contribution from the earnings of the employed? Do you suppose they will not compete with you, and, rather than earn nothing, work at lower wages than you assign yourselves? Do you not perceive, that the utmost your organisation of labour can save for distribution among the mass of artisans, is

the profits of the middlemen, which you conceive to be so enormous,—nay, only the difference between these profits and the salary you pay to your various managers and superintendents, who stand to you in the place of the middlemen? and have you taken the trouble to ask yourselves these simple questions before you announced your scheme as a great panacea—an infallible way to salvation?

'But the great merit of these Associations is, that they will extinguish competition, and the reduction of wages to which it leads.' Will they indeed do this? Have they the slightest tendency to do it? Do they even contemplate doing it? True, it is the great object which Mr. Kingsley, Mr. Maurice, Mr. Walter Cooper, and Mr. Hunt propose to themselves in the promotion of them; but let us see if it be kept in view; let us inquire whether competition—'that selfish system which lies at the root of all the evils under which English industry now suffers'—be not the very life and essence of them all. It is curious to observe how the denounced principle peeps out everywhere. In the first place, we read in the account of Parisian Associations by Mr. Kingsley ('Frazer's Magazine')—'The cooks, who unfortunately are *divided into several rival associations* (one of which has lately failed), can afford to give the working-classes as good a breakfast *at four sous as they can obtain elsewhere for ten.*'—(Competition and underselling this, surely?)—The paviours, who have two associations, have got into their hands *by tender*—(competition and *contract-work* again!)—a large portion of the paving of Paris.' In his pamphlet, 'Cheap Clothes and Nasty,' which is filled with tirades against competition as 'cannibalism' and 'devil-worship,'—after saying, in the name of the tailors, 'it is competition that is ruining us, every man for himself, every man against his brother;—the remedy must be in association, co-operation, self-sacrifice for the sake of one another:'—he proceeds, 'We will hoard our profits, and not spend them *till we have squeezed out all the sweaters one by one.* Then we will open our common shop, and sell at as low a price as the cheapest of the show-shops; and then all that the master slop-sellers had better do will be, simply to vanish and become extinct.' Again, 'Let us help and foster the growth of these associations. Let us encourage the journeymen to compete with Nebuchadnezzar and Co. *at their own game,* and let the association swallow up all associations similar to itself, which might end in competing with it.'—'A Working Tailors' Association is actually formed in London, ready to wage internecine war with Nebuchadnezzar and Co.' &c. &c. Do not these passages

from the most eloquent denouncer of competition themselves breathe the very spirit of the most bitter and unrelenting competition?

It must be evident, beyond dispute, to any one endowed with the most moderate amount of the ratiocinative faculty, that where there are more people anxious to do the work than there is work to be done, they will compete with one another to obtain this work. If all the tailors in London were embodied to-morrow into a number of different Associations, it is certain that these Associations would compete with one another, exactly as individuals would do, because there would be too many Associations (to the supposed extent of 8000 men) for the work required. ‘True,’ replies Mr. Kingsley, ‘but our work will be ‘incomplete till we have blended all these associations into one ‘vast guild. Competition will then be out of the question.’ Yes! but it will be replaced by *monopoly*; and we all know what monopoly means — artificial prices, a restricted market, a gigantic job, a final and inevitable smash. To sum up the whole: the advocates of association as a cure for competition are caught between two horns of a dilemma, which half Mr. Kingsley’s sagacity, if united with a less vivid fancy and a less copious vocabulary, would, from the first, have enabled him to foresee: — in case you have many Associations, you retain all the evils of competition; in case you merge them all into one, you encounter all the evils of monopoly. We defy the Socialists to escape from this dilemma, except by assuming a remodelling of human nature by Divine or Christian influences; and *when this remodelling has been achieved, all systems will become indifferent, for the evils of all systems will be wiped away.*

One of the most indefensible parts of Mr. Kingsley’s writings is his incessant denunciations of *cheapness*, when arising, — as nearly all cheapness, directly or indirectly, must, — from the operation of the competitive element. It is true that in this he is merely following the unthinking multitude, echoing the reckless language of the noisy and venal press, and making himself the mouthpiece of class selfishness, popular prejudice, and ignorant passion. But this is an unworthy position for a man of his intellect and education. How could any Christian minister, a thinker, a gentleman, and a scholar, permit himself to pour forth such rant as this?

‘Let no man enter them (the cheap show-shops) — they are temples of Moloch — their thresholds are rank with human blood. God’s curse is on them, and on those who, by supporting them, are partakers of their sins. Above all, let no clergyman deal at them.

'Poverty—and many clergymen are poor—doubly poor, because society requires them often to keep up the dress of a gentleman on the income of an artisan, because too the demands on their charity are quadruple those of any other class—yet poverty is no expense. The thing is damnable—not Christianity only, but common humanity cry out against it. Woe to those who dare to outrage in private the principles which they preach in public! God is not mocked; and his curse will find out the priest at the altar, as well as the nobleman in his castle.'

'But it is so hard to deprive the public of the luxury of cheap clothes! Then let the public look out for some other means of procuring that priceless blessing. If that, on experiment, be found impossible—if the comfort of the few be for ever to be bought by the misery of the many—if civilisation *is to benefit every one except the producing class*—then this world is truly the devil's world, and the sooner so ill-construed and infernal a machine is destroyed by that personage, the better.'

We wonder whether Mr. Kingsley was an advocate for cheap corn? or whether, in the old days of Corn Laws and agricultural protection, he took the side of *the producing class*? If the latter, he was at least consistent. But while penning this precious passage, did it never occur to him that cheapness means abundance, and that if cheap and abundant food be a blessing, cheap and abundant clothing must be a blessing likewise? Did that first prolific fact, which lies at the root of all free trade and sound political economy, never flash across his mind—that the producer of one thing is the consumer of another?—that every 'producing class' benefits by the cheapness of every article turned out by every other class?—that every class naturally desires that, while the article *it* produces should be dear, the article *every one else* produces should be cheap? Does he not perceive that this is the very rampant incarnation of selfishness? and that of this selfishness he has blindly made himself the organ and the pandar? The distressed tailor wishes that clothes should be dear, but that shoes and corn should be cheap; that competition should be excluded from *his* trade, but allowed to work its natural consequence in every other. The produce of one class in the community is exchanged against the produce of another. If all 'producing classes' are to be protected, and cheapness is to be eschewed and denounced in all alike—well and good! The only result will be a general rise in the price of all articles, and no one will be better off than before; and Mr. Kingsley, when he wrote the inconsiderate passage we have quoted, ought, in common honesty, to have informed his *protégés* that the first effect of his doctrine, if fairly carried out, would be to make them pay double for their quarter loaf.

Moreover, who are the parties who most signally benefit by this much-abused cheapness? Clearly the poor of all classes — those whose clothes, shoes, and food absorb the largest proportion of their income. Has Mr. Kingsley ever reflected, how many thousands are by this very cheapness enabled to afford themselves a new coat or a new shirt, who must otherwise have gone without it? — and how many thousands of tailors and needlewomen find employment in consequence of the enlargement of demand for their labour arising out of this very cheapness? Does he not perceive that, if coats were double the price, only half the number could be sold? — and is he unable to estimate the privation both to producer and consumer, which this implies? The truth is, that the sufferings of the needlewomen and tailors have so powerfully impressed his imagination, that he is prepared to relieve them by trampling upon every other class, and by discarding every restraining rule of wisdom or of justice. ‘To press forward to a great principle (said Lord Stowell), by breaking through every other principle that stands in the way of its accomplishment, is as little consonant with private morality as with public justice.’ ‘Men (says the author of “The Statesman”) who are scrupulously conscientious in all other things will often be not at all so in their kindnesses. Such men, from motives of compassion, charity, and good will, have sometimes given birth to results which the slightest exercise of common sense might have taught them to foresee; and which, if foreseen, would have alarmed the conscience of a buccaneer.’

One of the chief hardships of which the needlewomen complain — one of the principal causes to which, we are told, they ascribe their deplorable condition — is the competition of individuals who are not *wholly* dependent on their labour for support; who, having a small but inadequate income, take in needlework at their own homes; and, employing in it their spare time, can afford to do it for lower remuneration than those who must derive from it their entire support. They demand to be protected against the competition of these parties, either by law or by various arrangements, such as requiring all work to be done on the premises of the employer. Neither they nor their supporters in the press seem to be conscious either of the tyranny of this demand or of the selfishness which dictates it; — for, who are these competitors against whom they protest, and whom they would wish thus summarily to extinguish? In a great proportion of cases they are decayed and struggling gentlewomen — the widows and daughters of clergymen and military officers — who, unfit, from health, habits, and

education, for more laborious occupations, seek in plain or fine needlework the means of eking out a scanty and difficult subsistence. They have, perhaps, savings or a pension which yields them 20*l.* or 40*l.* a year, on which to maintain hungry children or aged parents, who have known all the comforts and luxuries of refined existence. It would be needless barbarity and degradation to compel them to work in a shop, and for longer hours than their strength could endure: and it is such merititious strugglers as these whom regular tailors and needlewomen are proposing to deprive of employment. That *they*, seeing, as is natural, only their own side of the case, should be anxious to commit such cruelty is pardonable enough; but that writers and reasoners, capable of a wider view, should encourage them in their injustice, is far less excusable. They might surely see, that to carry out this policy fairly and completely, would require an enactment, — *that no person shall work who can by possibility subsist, however miserably, without work*, lest he should interfere with some one else. Those who ask us to remedy one injustice by another, or to prevent suffering by crime, we may feel perfectly certain, without any lengthened train of reasoning, are guiding us on a wrong tack. There can be no question, that needlework is too often wretchedly paid. But why is this? — Simply because it is the easiest of all work; because it presents this point of attraction — that it *can* be done at home, in private houses, and at odd hours; because, for one woman who can do anything else, there are ten who can sew and bind; — for many of the reasons, in short, which explain why hand-loom weaving is ill paid. It is an irrepealable and a righteous law, that the easiest departments of labour will always be the worst remunerated; because their very easiness will tempt superabundant numbers into them. When the remuneration becomes so inadequate as to counterbalance the temptations of facility, this superabundance will diminish, and labourers will seek other lines. If, however, *all* departments should be overstocked, then — without a diminution of numbers, or an enlargement of the field of labour — no restrictions, no cobbling, no re-distribution of employments, can meet the evil. It is on this account that we look with sadness and mistrust upon these new schemes for making society over again, as upon all old ones — upon the recent and modified forms of communism, as upon all its previous and clumsier phases. They are all plans, not for meeting, but for evading the difficulty — not for solving, but for shirking the problem — not for untying, but for cutting the entangled knot. To show this at length, would be merely to go over again Mr. Mill's admirable chapters 'on popular' remedies for

'low wages.' The benevolent men and women who are setting on foot these Associations of tailors, needlewomen, shoemakers, and bakers, are merely aiding them to augment the produce of their several branches of industry, without augmenting the demand for this produce and the fund for the payment of it; and can, therefore, confer no genuine or comprehensive benefit upon them. Observe, we do not in the least object to these Associations; we do not even object to the proceedings of those excellent and compassionate individuals who suggest and assist in their formation; we blame them only for announcing these schemes as great discoveries and mighty engines for the rescue and redemption of society. Promulgated in such a spirit, they can end only in bitter disappointment. Still we shall rejoice to see them spread whenever their rules do not contain any self-destroying fallacy; for though they will not meet and cure our great social malady, they will raise, comfort, and instruct the individual workmen. To recommend them as doing more than this is mischievous, because it is holding out expectations from them which can never be realised, and teaching the labouring classes to look for emancipation in a wrong quarter, and to lean upon a broken reed.

To sum up the whole:—Communistic Association, as opposed to Competition, can only—as indeed its more enlightened preachers fully admit—succeed in its object, when society shall be Christianised in reality, as well as in name; when all men shall be sufficiently purified from selfishness to work with equal zeal for the common good as for individual reward, and to wish for nothing more than a just and equal portion of the property of the common wealth. When this point is achieved, the existing arrangements of capital and labour would answer as well as any other; for then every master would exact from his labourers as little toil, and pay them as large remuneration, as possibility would permit. *As man now is*,—active, selfish, and ambitious, loving his family better than his neighbours, and his neighbours better than that abstract entity called the community,—Associations, where they differ from practicable partnerships, must be either lost in the whirlpool of competition, or wrecked on the rock of monopoly. Start the most theoretically perfect scheme of communism you can devise; gradually eliminate from it every element which makes it work ill; add to it, as experience suggests, every element required to make it work well; and you will arrive either at the existing arrangements of capital and labour, or at such co-partnership systems as sound political economists have long since recommended. Distribution of employ-

ments by preliminary concert, no practicable machinery could effect ; competition, if allowed to operate unchecked, will speedily effect a wiser, juster, more productive, more expansive and adaptable distribution of them, than any government, guild, or committee which the wit of man could contrive.

'Alton Locke' professes to be the autobiography of a journeyman tailor, self-educated, a poet, and a chartist, who emancipates himself from the shackles of domestic Calvinism ; publishes a volume of poems ; falls in love with a lady of higher rank ; becomes an agitator ; gets himself involved in an agricultural riot, and is imprisoned in consequence ; is concerned, in spite of his better judgment, in the chartist conspiracies of 1848 ; loses his health ; is resoled and converted by a benevolent lady ; and finally dies on a voyage to Texas. The plot is to the last degree improbable and impracticable ; and the characters, with one admirable exception which deserves to live, hastily sketched, crude, and inconsistent. We have journeymen tailors who correct Latin proofs for Cambridge undergraduates, and scatter about the technical terms of scholastic logic ; working chartists, who quote Ariosto ; and high-born ladies, who enter into sentimental conversation with unknown and ill-dressed strangers at the Dulwich Gallery ; — with other equally unlikely occurrences. Considered as a novel or a professed literary work of art, *'Alton Locke'* lies open to severe criticism. But it would be hardly fair to regard it in this light. It is written with a philanthropic purpose, and is a series of descriptions of the most painful and harrowing scenes which life can present among the poor ; a gallery of pictures of early homes made miserable by the most unflinching Calvinism ; of tailors' workshops, close, fetid, and crowded ; of courts and alleys filthy and pestilential past imagination, and we should hope past fact also ; of sweaters' dens where incautious workmen are imprisoned till they become mere skeletons ; of starving peasants meeting upon wintry downs and pouring forth descriptions of the dreariest wretchedness ; of conspirators' rooms filled with frantic Irishmen and watched by government spies ; — all drawn with vast graphic power, and portrayed in colours such as only a genuine poet could command. The work abounds in passages of wild, unchastened eloquence ; and, amid much aimless declamation and not a little language which Christian feeling and scholarly taste must alike condemn, it breathes through every page a profound and passionate sympathy with the sufferings of the poor. To us the purity of this sympathy is alloyed and its effect injured, by the bitter, indiscriminate, and unsparing indignation which is poured out upon the rich, the government, and the clergy.

We have not space for any detailed analysis of the work, nor for many extracts even of those parts which we most admire. One passage, however, we will present to our readers, both on account of the fearful truth of the pictures it contains, and also as introducing Sandy Mackaye, the shrewd, excellent, pure-hearted old Scotchman, the redeeming character of the book. The young poet had commenced his essays by a description of the South Sea Islands, and Mackaye tells him to choose his subject from the poetry that lies around him: —

“ ‘What the deevil ! is there no harlotry and idolatry here in England, that ye maun gang speering after it in the Cannibal Islands ? Are ye gaun to be like they puir aristocratic bodies, that wad snner hear an Italian dog howl, than an English nightingale sing ?’

“ ‘Coral islands ? Pacific ? What do ye ken about Pacifics ? Are ye a cockney or a Cannibal Islander ? Dimma stand there, ye gowk, as fusionless as a docken, but tell me that. Where do ye live ?’

“ ‘What do ye mean, Mr. Mackaye !’ asked I, with a doleful and disappointed visage.

“ ‘Mem — why, if God had meant ye to write about Pacifics, He’d ha put ye there — and because He means ye to write about London town, He’s put ye there — and gien ye an unco sharp taste o’ the ways o’t ; and I’ll gle ye anither. Come along wi’ me.’ And he seized me by the arm, and hardly giving me time to put on my hat, marched me out into the streets, and away through Clare Market to St. Giles’s.

‘ It was a foul, chilly, foggy, Saturday night. From the butchers’ and greengrocers’ shops the gas lights flared and flickered, wild and ghastly, over haggard groups of slip-shod dirty women, bargaining for seraps of stale meat and frost-bitten vegetables, wrangling about short weight and bad quality. Fish stalls and fruit stalls lined the edge of the greasy pavement, sending up odours as foul as the language of the sellers and buyers. Blood and sewer water crawled from under doors and out of spouts, and reeked down the gutters among offal, animal and vegetable, in every stage of putrefaction. Foul vapours rose from cow-sheds and slaughter-houses, and the doorways of undrained alleys, where the inhabitants carried the filth out on their shoes from the back yard into the court, and from the court into the main street ; while above, hanging like cliffs over the streets — those narrow brawling torrents of filth, and poverty, and sin — the houses with their teeming load of life were piled up into the dingy choking night. A ghastly, deafening, sickening sight it was. Go, scented Belgravian ! and see what London is ! and then go to the library which God has given thee — one often fears in vain — and see what science says this London might be !

‘ He stopped suddenly before the entrance of a miserable alley.

“ ‘Look ! — there’s not a soul down that yard but’s either beggar, drunkard, thief, or worse. Write about that ! Say how ye saw the

mouth o' hell, and the twa pillars thereof at the entry — the pawn-broker's shop o' one side and the gin palace at the other — twa monstrous deevils, eating up men, woenen, and bairns, body and soul. Are na they a mair damnable man-devouring idol than ony red-hot statue o' Moloch, or wicker Gogmagog, wherein auld Britons burnt their prisoners? Look at thaē bare-footed, bare-backed hizzies, with their arms roun' the men's necks, and their mouths full o' vitriol and beastly words! Look at that Irishwoman pouring the gin down the babbie's throat! Look at that raff o' a boy gaun out o' the pawn-shop, where he's been pledging the handkerchief he stole the morning, into the gin shop, to buy beer poisoned wi' grains o' paradise, and coeculus indicus, and saut, and a' damnable, maddening, thirst-breeding, lust-breeding drugs! Look at that girl that went in wi' a shawl to her back and cam' out wi'out ane! Drunkards frac the breast! — harlots frae the cradle! — damned before they're born! John Calvin had an inkling of the truth there, I'm a'most driven to think, wi' his reprobation deevil's doctrines!"

"Well — but — Mr. Maekaye, — I know nothing about these poor creatures."

"Then ye ought. What do ye ken aboot the Pacific? Which is maist to your business? — thaē bare-backed hizzies that play the harlot o' the other side o' the warld, or these—these thousands o' barebacked hizzies that play the harlot o' your ain side — made out o' your ain flesh and blude? You a poet? True poetry, like true charity, my laddie, begins at hame. If ye'll be a poet at'a', ye maun be a cockney poet, and while the cockneys be what they be, ye maun write, like Jeremiah of old, o' lamentation and mourning and wae, for the sins o' your people. Gin ye want to learn the spirit o' a people's poet, down wi' your Bible and read thaē auld Hebrew prophets; gin ye would learn the style, read your Burns frae morning till night; and gin ye'd learn the matter, just gang after your nose, and keep your eyes open, and ye'll no miss it."

"But all this is so — so unpoetical."

"Hech! Is there no the heeven above them there, and the hell beneath them, and God frowning, and the deevil grinning? No poetry there! Is no the verra idea of the classic tragedy defined to be, man conquered by circumstance? Canna ye see it there? And the verra idea of the modern tragedy, man conquering circumstance? — and I'll show ye that, too — in mony a garret where no eye but the gude God's enters, to see the patience, and the fortitude, and the self-sacrifice, and the luve stronger than death, that's shining in thaē dark places o' the earth. Come wi' me, and see."

We must add one more extract, for the sake of the valuable lesson to clergymen which it contains. The writer is in prison, and the chaplain is endeavouring to convert him from his errors with the usual weapons that such men employ: —

"Then he deluged me with tracts, weak and well-meaning, which informed me that "Christians," being "not of this world," had no-

thing to do with politics ; and preached to me the divine right of kings, passive obedience to the powers—or impotences—that be, &c. &c., with such success as may be imagined. I opened them each, read a few sentences, and laid them by. They were written by good men, no doubt ; but men who had an interest in keeping up the present system ; at all events, by men who knew nothing of my temptations, my creed, my unbelief ; who saw all heaven and earth from a station antipodal to my own : I had simply nothing to do with them.

‘ The good man laboured under the delusion, common enough, of choosing his favourite weapons from his weakest faculty ; and the very inferiority of his intellect prevented him from seeing where his true strength lay. He *would* argue ; he would try to convert me from scepticism, by, what seemed to him reasoning, the common figure of which was, what logicians, I believe, call begging the question ; and the common method, what they call *ignoratio elenchi*—shooting at pigeons, while crows are the game desired. He always started by demanding my assent to the very question which lay at the bottom of my doubts. He would wrangle and wrestle blindly up and down, with tears of earnestness in his eyes, till he had lost his temper, as far as was possible for one so angel-guarded as he seemed to be ; and then, when he found himself confused, contradicting his own words, making concessions at which he shuddered, for the sake of gaining from me assent to propositions which he found out the next moment I understood in quite a different sense from his, he would suddenly shift his ground, and try to knock me down authoritatively with a single text of Scripture ; when all the while I wanted proof that Scripture had any authority at all.

‘ Besides, I never denied the existence of Jesus of Nazareth, or his apostles. I doubted the myths and doctrines which I believed to have been gradually built up round the true story. The fact was, he was, like most of his class, attacking extinct Satans, fighting manfully against Voltaire, Volney, and Tom Paine ; while I was fighting for Strauss, Hennell, and Emerson. And at last he gave me up for some weeks as a hopeless infidel, without ever having touched the points on which I disbelieved. He had never read Strauss—hardly even heard of him ; and till clergymen make up their minds to do that, and to answer Strauss also, they will, as he did, leave the heretic artisan just where they found him.’

The counts of our indictment against ‘ Alton Locke’ are threefold. In the first place we object on principle to stories written with the purpose of illustrating an opinion or establishing a doctrine. We consider this an illegitimate use of fiction. Fiction may be rightfully employed to impress upon the public mind an acknowledged truth, or to revise and recall a forgotten one, — never to prove a disputed one. Its appropriate aims are the delineation of life, the exhibition and analysis of character, the portraiture of passion, the description of nature. Polemics,

whether religious, political, or metaphysical, lie wholly beyond its province. The soundness of this literary canon will be obvious if we reflect that the novelist *makes his facts* as well as his reasonings. He *coins* the premises from which his conclusions are deduced ; and he may coin exactly what he wants. It would be equally easy to write a tale to illustrate the evils of the Corn Laws, or the evils of their repeal. The artisan, famishing for want of food or for want of employment caused by a restrictive policy, would furnish the fundamental fact of the first case ; the peasant famishing from want of occupation consequent upon the impoverishment of the farmers, and upon the land being thrown out of cultivation, would supply the basis of the second ; and on such foundations a skilful artist might raise a superstructure which would horrify the free-trader on the one side and the protectionist on the other. Nay, the controversial writer of fiction need not actually *make* his facts ; he needs only to *select* them. An incomplete and partial picture will answer his purpose just as well as a false one — far better, indeed. A skilful grouping of materials, ignoring or throwing into the background whatever might either mar the harmony of the picture or induce a suspicion of its fidelity to nature, — a careful tracing back of facts to their supposed causes and their intended effects, — would enable him triumphantly to defend almost any thesis, and establish in the minds of his readers almost any creed.

Now, ‘Alton Locke’ is written with the obvious intention to deprecate competition as the source of most of the evils of English society, and to recommend Christian Socialism as their cure. For this purpose the story is constructed ; to this much of the copious declamation it contains is directed. On the fallacy which lies hid at the bottom of these views we have already said enough ; and we therefore pass over several tirades against competition and ‘cannibalism’ which we had marked for extraction and reproof.

But apart from these errors, ‘Alton Locke’ is pervaded by another, which we have already had occasion, in former articles, to condemn. There is all the old staple of demagogism : the neglect of the poor by the rich ; the indifference of the higher classes ; the dereliction of duty by the Government ; the contrast between the fat sheep or well-groomed cart-horse, and the ill-fed and ill-lodged labourer ; the irritating averment, that ‘society has denied them their rights,’ — so welcome to clever but poverty-stricken and struggling artisans. There is the usual jumble between the fourteenth century and the nineteenth ; the desire to recall the time, when the poor were at once the serfs and the *protégés* of the rich, and to amalgamate it with the days of Chartism, when the poor assert

their equality and insist upon their freedom.* It is not thus that irritations can be allayed, or miseries removed, or wrongs redressed. The working classes and their advocates must decide on which of the two positions they will take their stand: whether they will be cared for as dependents and inferiors? or whether, by wisdom, self-control, frugality, and toil, they will fight their independent way to dignity and well-being,—whether they will step back to a stationary and degraded past, or strive onward to the assertion of their free humanity? But it is not given to them, any more than to other classes, to combine inconsistent advantages: they cannot unite the safety of being in leading-strings with the liberty of being without them, the right of acting for themselves with the right to be saved from the consequences of their actions; they must not whine because the higher classes do not aid them, and refuse to let these classes direct them; they must not insist on the duty of Government to provide for them, and deny the authority of Government to control them; they must not denounce *laissez-faire*, and denounce a paternal despotism likewise.

We are little disposed to extenuate the negligences of our rulers or the short-comings of our aristocracy. Both have much to undo, and much to make amends for in the past; and both, we think, have shown an earnest resolution to atone for their sins of omission and commission, as far as sins can ever be atoned for. All, however, that can now be done is to remove every legal obstacle in the way of the improvement of the condition of the people, to facilitate and encourage every effort which they make in a right direction, and to promote their education as far as religious prejudices and passions will allow. All this Government is now doing with a single purpose and a zealous will; and none who remember what the functions and what the powers of Government in a free country are, will expect

* Proudhon, with the sagacity his writings so often show, has well exposed this inconsistency. ‘Les socialistes ont confondu deux choses essentiellement distinctes, lorsque, opposant l’union du foyer domestique à la concurrence industrielle, ils se sont demandé si la société ne pouvait être constituée précisément comme une grande famille, dont tous les membres seraient liés par l’affection du sang, et non comme une espèce de coalition où chacun est retenu par la loi de ses intérêts. La famille n’est pas le type, la molécule organique de la société. La famille est le type et le berceau de la monarchie et du patriciat: en elle réside et se conserve l’idée d’autorité et de souveraineté, qui s’efface de plus en plus dans l’état. C’est sur le modèle de la famille que toutes les sociétés antiques et féodales s’étaient organisées, et c’est précisément contre cette vieille constitution patriciale que proteste et se revolte la démocratie moderne.’

them to do more than the public are willing to let them do. Those are no true friends of the working classes — though they may think themselves such and wish to be such — who would induce them to rely on external aid for objects which must be achieved by themselves, if they are to be achieved at all, and to seek their emancipation in a change of circumstances and social arrangements, rather than in a change of character and conduct. Our sympathy with popular suffering is as prompt and ready as that of any of the speculators who show it in so strange a way. But we would manifest it by steadily disowning any attempt to get out of their troubles in the worst, because it happens to be the shortest, way, and to build their better fortunes on a treacherous quicksand instead of on solid ground. We, too, have our visions of the future of the working classes; and they are as bright and hopeful as any Socialist could indulge in. But we seek their realisation not in a recurrence to mediæval errors, not in repeating the abortive experiments of unenlightened times, but in steady adherence to those principles of moral and economic science whose truth is confirmed alike by every instance of conformity, and every instance of disobedience; we would prepare the advent of the days we dream of, not by upsetting, but by developing, the natural arrangements of society,— not by doing violence to the strongest and truest instincts of our nature, but by strictly conforming to their highest manifestations,— not by surrounding man with artificial environments which shall make subsistence certain, enterprise superfluous, and virtue easy, low-pitched, and monotonous, but by calling forth and cultivating those inborn capacities and noble energies which can subdue and mould external circumstances, can conquer casualties and command results,— qualities by the exercise of which a social paradise might be regained, in default of which, such a paradise, if bestowed, would soon be forfeited and lost.

ART. II.—1. *Narrative of Events in Italy, &c. during 1848-9.*

By General PEPE. London: 1850.

2. *Parliamentary Papers on Affairs of Italy.* 1848-9.

3. *Royalty and Republicanism in Italy.* By JOSEPH MAZZINI.
London: 1850.

ALMOST an entire generation has passed since the pages of this review contained a notice of the part taken by General Pepe in the Neapolitan Revolution of 1821. When more recently the General himself gave to the world his ‘Memoirs,’ VOL. XCIII. NO. CLXXXIX.

relating principally to the events in which he had been an actor, it can scarcely have entered into his anticipations that so few months would invest him once more with the character he had already played,—that of the less brilliant Lafayette of a minor revolution. The destiny which has twice placed him on so conspicuous a stage has not been accompanied with either the good fortune to which success attaches itself, or the transcendent qualities which sometimes extort from difficulties and disasters an almost impossible victory. Looking to his political and military career, posterity will not annex to his name the epithet either of *Felix* or *Magnus*. Neither will the two volumes noticed at the head of our article, though interesting and characteristic, earn for him the praise of high ability as a writer, or of unerring wisdom as a speculator on polities. Yet the brave, though luckless soldier, in a cause which success would have made glorious — the old man in whom thirty years of exile have not withered the aspirations of his youth — the honest enthusiast for ideas which have brought him no profit — may claim at least respect and sympathy from an age and a country which a misplaced hero-worship has prostrated at the feet of far baser idols.

These volumes do not, which their title would seem to imply, contain the history of Italy from 1847 to 1849; but, as supplying from an eye-witness and actor those portions of it in which General Pepe was personally engaged, they are a valuable contribution to our present knowledge, and will be useful to the future historian.* Incidentally they furnish us with an opportunity for shortly noticing some few points and characters of that dismited and unhappy struggle which, commencing at Milan and terminating at Venice, — and presenting us, at first sight, with little except a retrospect of wasted forces and disappointed hopes, — may yet ultimately prove to have left some advantage for the future, even exclusive of its bitter lessons. These lessons might indeed be worth all other advantages should they be as salutary, as experience has shown them to be necessary.

The calm and serious scrutiny of history will not altogether absolve the Italians. So far we may anticipate her verdict beforehand; but, admitting this, we may yet feel that a truer

* Some chapters relating to various episodes in the war — those, for instance, regarding Rome and Naples — are contributed by other writers, whose tone does not always recommend itself to our sympathy or to our belief by either the common sense or honest purpose of the veteran soldier; and these historical portions of the work are less valuable than the auto-biographical.

view than the hard and unsympathising judgment now generally prevalent in England, and reflected as such in various writings, periodical and others, is possible even for contemporaries. The cause of Italy,—the beaten cause,—is one which is quickly heard and summarily decided at the bar of average public opinion. Yet England is, as we observed on a former occasion, the only country to which Italy may look for sincere and *disinterested* sympathy; an assertion to which perhaps Italians in general will be prepared to give a more ready and entire assent in 1850 than in 1848. One chance at least has turned against them, on which they had not and could not have calculated. One banner at least, to which, if they looked at all, they could look only for protection, has appeared in the ranks of their assailants.

We saw crowded into the years 1848 and 1849 a series of events for magnitude, and strangeness, and rapidity, perfectly unparalleled. We saw a '*culte générale*' of men and things, dynasties and institutions, thrones, dominations, and powers, to which, for the time, the overturn of the first French revolution seemed a trifle. We saw a hundred millions of men of the European race possessed more or less by one whirling frenzy. But of all the wild deeds which have been done by the peoples in their madness, this done by the 'great nation,' in her colder blood, is perhaps the strangest, the most unexpected, the most inexcusable. Between the 24th February, 1848, the era of a flight to be scarcely less marked in the future history of Christendom, though perhaps with a darker colour than the flight from Mecca in the annals of Islam,—the flight of Louis Philippe from Paris, that Hegira without return, the signal for so many other minor Hegiras of not more wise, but more fortunate potentates,—between this date and another, the capture of Rome by Oudinot, on July 2. 1849, there elapsed less than seventeen months; of which the beginning and the end, sharply contrasted for any observer, must rise before the mind of an Italian as the very type of historical antithesis and national inconsistency.

After France herself, there was one country in the world in which it was natural to watch with especial interest for the results of the revolution of February. Those who most regretted that still scarcely intelligible event, desired by few and brought about by still fewer, could not but speculate, with some sympathy as well as interest, on its possible effects on the future of Italy. Berlin, Vienna, might possibly arrange their several disputes with their rulers, whether by the old German method of dialectical pedantry, or the newer and more Gallic logic of the musket in the streets; or, as it turned out ultimately, by

the unrestricted use of both ; and the French République might be persuaded by Lamartine only to look on : but how could the cry of Italy fail to reach France, and how could she be deaf to that cry ?

If at that time, when it seemed equally impossible that Lombardy could be held down by Austria, and that France could be restrained from aiding Lombardy; when Piis still bore about him the prestige due to the initiator of Italian reform, and the denouncer, almost the defier, of Austrian intervention at Ferrara; when that word ‘La gran parola d’intervenzione,’ as an Italian poet might well call it, conveyed the double fear of the presence of the French tricolor at Milan, and of the white Austrian uniform in the Legations, at Rome, or at Naples; the main doubt being, which event, by arriving first, would enable the opposite party to throw upon its perpetrators the reproach of unprovoked aggression; if at that time some prophet had lifted the mere corner of the curtain of the future, and told us of events not distant, but close, and at our very doors ! All remember, at least in their general spirit and tendency, the eloquent diatribes in which Lamartine, in those times, was wont at once to reassure and to awe the world ; the honeyed thunders which, whether in the form of instructions to the representatives of France at foreign courts, or speeches to her new-born assembly at home, at once assured potentates of the peaceful intentions of France, and peoples of her all-powerful sympathy, renouncing an armed, yet asserting a spiritual, propagandism, and promised to each and all the contradictory blessings of a political Utopia, — freedom without discord, change without destruction, and victory without war. It is not to be denied that these glittering and indefinite utterances were, at the time, accepted as real services to the cause of peace and order, as if not perfect, yet the best, securities for quiet that France could then be expected to give, or her foremost man be expected to venture for her. Yet of Italy what did Lamartine say ? *This :*

— ‘ . . . Si les états indépendants de l’Italie étaient en-
‘ vahis ; si l’on imposait des limites ou des obstacles à leurs
‘ transformations intérieures ; si on leur contestait à main armée
‘ le droit de s’allier entre eux pour consolider une patrie Italienne,
‘ la République Française se croirait en droit d’armer elle-même
‘ pour protéger ces mouvements légitimes de croissance et de
‘ nationalité des peuples.’

Yes ; much as the Republic loved peace, and anxious as she was to remain on good terms with the European Powers, yet there was one cause dearer to France than the love of peace,—one more at heart than a good understanding with

Austria. Against intervention in Italy, if requisite, France might arm.

The address to the National Assembly on its meeting contained, in fuller terms, a similar announcement; at once a summary and a programme. Italy had moved ‘successivement ‘mais tout entière’ from north to south, and was already free: she ‘s’abandonne avec confiance à l’avenir d’indépendance et de ‘liberté où le principe Français sera son allié.’ True, she struggled alone in the war of which her independence was the prize; but, as was significantly said, France in arms was looking on. Her petty despots were scattered to the winds, or had become promising converts to constitutional liberty. Naples had already descended ‘au niveau d’une royauté démocratique de 1791,’ and he whose ‘Italian and democratic soul’ had given the first impulse to Italy, Pius IX., ‘acceptant le rôle de patriote Italien, ‘ne retient que la domination du pontife, et fait de Rome le ‘centre fédératif d’une véritable République dont il se montre ‘déjà moins le chef couronné que le premier citoyen.’

What would the statesman-poet have thought had some prophet of bitter truths — some Mephistopheles-Cassandra in the reporter’s box — accompanied his record of these eloquent words with a comment consisting of a summary of the facts which have since in every point contradicted them?

Translated into language more amplified and Lamartinian than prophecy or Mephistopheles are in the habit of using, the comment might have been something like this: — You are exciting yourself and others, as usual, with hopes and fears alike groundless. Austria has as little to dread, as Italy if she is wise will expect, from France and you. Your words shall scarcely have reached Italy, before some of the most important are falsified by events. Twelve months shall leave scarcely one uncontradicted. The democratic royalty of Naples, before your description of it is read there, shall meet its people in open conflict and conquer back its despotism, — and thereby withdraw a kingdom, forming a third of the force of Italy, from the cause of Italy. The first labourer in Italian regeneration is the first to turn back from the plough. He is even now holding back, with all the *vis inertiae* of a faint heart and timorous conscience, against the force he released without his knowledge: the chief thought of his heart is, how he may stop it entirely; and the one intention in which he shall succeed shall be that of paralysing it. The independence of Italy shall be once and again staked in war, — once with good hope, then hopelessly; it shall be all but won only to be utterly lost, alike without France. Yet there shall be enough and to spare of intervention.

He whose ‘Italian’ and democratic soul’ denounced intervention, shall entreat it. He who is ‘less already the crowned head than the first citizen’ of a free people, shall call on foreign Powers to replace on his head the crown of temporal dominion; he in whom even his warm Italian patriotism can scarce conquer the horror of war with foreign members of the Church of Christ, shall invoke war on his own immediate flock of Catholic Italians. And his call shall be heard. Intervention shall take place. Intervention, at the call of a fugitive ruler, to reduce under a detested government an independent people. Intervention, not to interpose ‘limits’ or obstacles to internal changes, but to put down an already established republic, and re-establish the most unimprovable of monarchies. Intervention to crush or scatter, in the last rallying point, the last who uphold the banner of Italian independence. Intervention, not only ‘to contest the right of Italians to consolidate an ‘Italian nation,’ but to drive Genoese, Lombards, and Tuscans, as foreigners, from the city which they claim as a centre of their common nationality. All this shall be asked, and all this shall be done — by whose intervention? Take the answer in your own words — ‘*La France est là.*’

Yes, the case contemplated by you, M. de Lamartine, shall arise, and in Italy, to which you principally refer; and the French Republic ‘se croira en droit d’armer,’ for the purpose of contradicting your declarations, point by point, as if destiny took a pleasure in the contrast, for the purpose of doing exactly *that* which you pronounce she will arm to prevent others from doing. Is there any key to this contradiction?

At the time when these high-flown and falsified declarations of the future policy of the Republic were made, Lamartine spoke in the name of France. Others have succeeded, not to his position — which was one alike incapable of continuance and of recurrence, at least for generations — but to the direction of the foreign relations of France. Suppose it to be asked: why should not the conservative and reactionary Republic falsify the programme of the revolutionary dictator-Tyrtæus of the Provisional Government?

Why not, indeed, if only they could show that they had done it in consistency with opinions or principles professed by themselves, or with any principle whatever? If on any assignable grounds, the French Government could justify — or in the absence of justification excuse, or even render intelligible — their conduct in the affairs of Rome, that conduct would not be regarded, as it now is by almost all English parties, with all the disapprobation which can be roused by obstinate injustice un-

redeemed by the shadow of wisdom or policy. A year and a half has now elapsed, since the entrance into Rome of Oudinot, on July 2., closed that act of the Italian drama, and placed the general, in the judgment—or, at least in the speech—of M. Thiers, on a level with the conqueror of Lodi; and it may be allowed that all has now been said which can be said on the question of Rights. The Mountain have said their say, and successive Governments have said theirs, down to the bold reassertion of the complete justice and success of the measure in the President's message of 1850. The result of all on the mind of the reader is an increased conviction that a great wrong was committed, and a great risk run for no adequate and self-consistent reason whatever. The act is not merely a theme for the indignant moralist to inveigh against; it is a puzzle for the investigator of motives to solve.

We have somewhat anticipated the order of time in these observations. Yet the contrast between the beginning and the end of the Italian revolution, may not inaptly introduce something like a connected notice of these events still too recent for history. It is the alpha and omega, so to speak, the argument of the narrative. Rome was the origin, and to a great extent the centre, of all that occurred: and at Rome too the series of events closed; the first was also the last scene of the drama. With him too—the protagonist, if not the hero—it is the same: *ἐν σοὶ μὲν λήξω, σέο δ' ἄρξομαι.* The story finds Pius IX. in the Vatican, and after strange interludes it leaves him there. From Rome to Portici, and from Portici back to Rome, the wheel has turned completely round, bearing with it a passive shape as of clay changing under the potter's hand.

It is scarcely necessary to give one more sketch of a state of things so recent, and yet so entirely past as that which existed throughout Italy about three years since, at the time of the mission of Lord Minto, and in the full flood of the popularity of the Pope.

Slight effervescences and differences of opinion between the rulers and the ruled, had already occurred in some places, generally with the result of a constitution promised and a national guard formed; of which the consequence most visible and most strange to English eyes was, the frequent occurrence of gentlemen in frock coats and round hats mounting guard with heavy muskets on their shoulders:—an unfailing symbol, it would seem, since 1789 of the birth of Continental liberty; however strikingly at variance with our insular conceptions of a free and desirable existence. Meanwhile the general aspect of things was such as that of France may have been when preparing

for the federation feast in the Champ de Mars; and, except so far as similar external appearances might suggest the fear of similar tragedies to follow, showed nothing which was not promising and hopeful. All voices spoke one language and announced one prospect, and that of the brightest character. All from Gioberti to Giusti, the clerical statesman and the anticlerical satirist, the occupant of the pulpit and the stage, the journalist and the ballad singer, every form of the 'stump orator,' in short, announced the Avatar and sang the praises of the, not coming, but come, deliverer, the breaker of the chains of force, whose place was henceforth to be supplied by those of affectionate reverence alone. True, the days and the success of the bringer of so much good might be endangered by the enemies of good Idol as he was of all Italians, and especially of all Romans, it was yet possible that the Jesuits might poison him, or the King of Naples be driven by Jesuits' counsel to assail him. These were dangers; but could these be avoided, the future Utopia was almost or quite certain; and, meanwhile, all its virtues, and all its promises were personified in Pius, its Joshua and Moses in one.

That no human wisdom or virtue would have enabled Pius IX., any more than any other merely human Avatar, or temporarily deified individual, the supposed incarnation for his time of a fancied promise of all good things that the heart can desire, to satisfy the expectations which were formed of him, or to retain the position into which his worshippers thrust him,—this is, of course, self-evident. Equally evident is it that on failing to achieve impossible results, or to display impossible excellences, he would have been unjustly belied and depreciated by that human multitude which, with insufficient evidence for either proceeding, passes so readily from worshipping the demigod to pelting the impostor. But the most charitable of judgments will be obliged to attribute far other than inevitable errors and failings to the dethroned idol of Italy and replaced nominee of France. The past course and present position of Pius point other and fresher morals besides that 'crambe repetita' of popular ingratitude. He too, once the type of future hope for all Italians, will be pronounced to have been most of all wanting to a great opportunity; he will live in history as one more painful specimen of that commonest form of the irony of destiny,—the common-place blown into factitious greatness, at length brought face to face with great events, and ignominiously collapsing.

So great, however, was the influence exerted over the fortunes of Italy by his character and conduct,—so momentous was the

impulse contributed to the other causes of movement by his accession to the papal chair in 1846, that his name will be ever memorable among the priest sovereigns of Rome,— even should the prophecy or presentiment remain unfulfilled which still points to him as the last of the ~~Anc.~~¹. We say the last of the priest kings, not the last of the successors of Peter. In that sense alone is the prophecy likely to be brought to pass. The mediæval Church, called of Rome, is not dead yet, nor actually dying: the Roman Catholic religion will undoubtedly continue to be the religion of central Italy; and the too fond hopes of the distributors of Italian Bibles, though now more sought after than formerly, will certainly not be crowned in this generation with a religious revolt, denunciation, and expulsion, of the at last confessed and acknowledged Antichrist.* There will be many more Bishops of Rome fulfilling all the conditions requisite to entitle them at Exeter Hall to that denomination. But the sceptre may break, and the crozier remain; not without results of various, perhaps of opposite kinds. For the present occasion we leave untouched the wide field of speculation opened by the question of the effects which the spiritual dominion of the Papedom might reap or suffer from the loss of its temporal power.

Aided by the light of subsequent events, it is not difficult now to divine the real character of the intentions with which Pius IX. commenced his attempt to reform the government of the States of the Church. We need not labour to prove a point so generally admitted as the character of that government; nor will our space permit us to refer to the very valuable work of Signor Farini† for curious illustrations of the perfection to which bad government is capable of being brought by systematic practice— illustrations which would be ludicrous, were it not ever true that where ‘*delirant reges, plectuntur Achivi;*’ were it not too certain that unmerited suffering and bitterness of heart somewhere, is the price of every ridiculous decree of a corrupt judge, every amusing absurdity of a well or ill-meaning cardinal-governor. The views of Pius were probably as sincere as they were narrow.

* One of the organs of the religious world, carrying out with a singular consistency of logic its habitual application of prophecy to contemporary facts, informed its readers, as part of the reports of the day on the Pope's flight from Rome, that 'Antichrist was on board of the *Tenare*'.

† *Lo Stato Romano dall' anno 1815 all' anno 1850*, per L. C. Farini, vol. i. Torino.

In common with all reasonable persons, he knew that much was flagrantly wrong ; that, in the political society governed by the spiritual head of the Roman Catholic world, corruption and oppression, softened or aggravated in their effects by neglect and mismanagement, were the main instruments of the temporal power ; that no contradiction could be more positive than that between the character of the precepts which he professed and the rule which he was to administer.

He knew that the government was in consequence hated by those who lived under it, and despised abroad. Alike, as a priest attached to his church, and a man not devoid of benevolence, he wished to abate this scandal. He wished to relieve his people from oppression, to attach them to his person, to make them at once well affected and happy ; and he believed this, the most difficult of tasks for the heir of so long a course of misgovernment, to be an easy undertaking. The question of giving them what is called ‘liberty,’ that is, a share of political power, probably rather was absent from his speculations than was determinately rejected by him. In theory his subjects were the contented flock of a pious pastor ; he would make them so in reality. Wolves should worry them no longer ; but as to the guidance they were to follow, whose should that be,—whose could it be, indeed, but that of their consecrated shepherd ? In fine, he intended to govern well, to remove abuses, to discontinue oppression, even to put away, so far as might be, from the Church the reproach of being opposed to modern enlightenment and laical knowledge. Should not the supreme pontiff use to the glory of God and the church the gifts and talents of all well-affected subjects, though laymen ?

With some such feelings as these Pius IX. entered on a career of which those who were wiser in their generation saw the tendency more clearly than himself,—some with hope, some with fear. Amnesties for those who, having been misled, but not without excuse, had become liable to penalties under the system of his predecessors ; and reforms which should make inconceivable the necessity for any future amnesty,—peaceful reforms which all the world would approve, and for which all his subjects would bless him ; no more waste of public money, no more injurious taxation, no more cruel and arbitrary imprisonment, no more political espionage, but real and tangible improvements in the financial, material, and moral condition of his States,—which should conciliate to him the devoted affection of his people, and, as a necessary consequence, should relieve him, as an Italian prince, from the ignominious necessity of dependence in the last resort on a foreign Power ; these, and such as these, were the

measures designed by or for him, and the hopes by which they were recommended to him. Not much, after all, was done in the way of construction; and, without doubt, it would have been well if either circumstances or character had enabled the Pope to act on the advice of Guizot and Rossi*, — to have done more, and talked or encouraged others to talk less. Evil is hard-lived, and many of the worst abuses, both of justice and administration, which were flourishing under Gregory, lived through and have survived the popularity of his successor. Reforms, however, of an easy and obvious, and (so to speak) negative kind, were enough, in such an Augean stable, to win for him from the mass of his people an impassioned and real, though necessarily not an eternal, gratitude. No man can be indifferent to such a popularity as that which for a time surrounded the Pope; though a great man would not have allowed either its presence to mislead him into courses of which his judgment disapproved, nor its subsequent departure to surprise and embitter him. The enthusiasm of the Romans, echoed more or less by Italy and Europe, was at once an aid and a snare to the papal reformer. It carried him over obstacles which might otherwise have stopped his intentions in the outset. But it excited expectations which soon outran these intentions, and all the sooner because the intentions outran his acts. Hopes, encouraged but unsatisfied, which had little to feed them in the present, stretched themselves more freely and passionately into the future. He was urged by his French advisers to declare at once what he would do, to do it, and to go no further. Prudent advice, which yet could scarcely have been thoroughly followed. In leading him to feel, as he soon dimly felt, that further demands would arise, and that the gift of an improved administration would be followed by the call for freedom, the timid instinct of Pius may have been so far truer than the politic wisdom of Rossi or Guizot. Not the less was his vacillation more dangerous than any action would have been. As it was, an inclined plane of indefinite hopes and slack performances conducted Pius with almost unexampled rapidity to the point to which all such careers tend, — the point where the *roads split*, — the point of pause, of deliberate consideration of the real meaning of what has been done, of its relation to what remains to be done, and of the

* The publication, in the *Revue des deux Mondes*, of the diplomatic correspondence which passed at the time between MM. Guizot and Rossi has shown us that we did their Italian policy injustice on a former occasion. We gladly seize the opportunity of making this acknowledgment.

nature of *that*, now seen nearer,—the point at which the wisest judge of political change will find in the results which he has already attained, much which he did not anticipate and did not intend,—the point, in fine, at which, having made one choice of his path already, he finds that he has to choose it again, with partially different objects, and, perhaps, under totally different conditions.

Sooner or later the Pope must, even doing much, have come, in any case, to this point at last; but he reached it all the sooner and the more unprepared from doing little. Through pathetic scenes with pardoned patriots,—through perpetual effervescences in the Eternal City, all ending with a triumphant demonstration on the Quirinal in honour of its occupant,—through conferences with railway engineers, who highly appreciated the intelligent interest shown by His Holiness in *their* schemes for uniting Italy (schemes which, we trust, will not finally be allowed to fall to the ground, whether the capitol be held in 1852 by German, Gaul, Spaniard, or Italian,)—through free-trade interviews with the travelling apostle of that faith, Mr. Cobden, whom it appears that his Holiness congratulated for having accomplished his great object ‘without violence,’ as if the contrary were on the whole to have been expected,—through dignified remonstrance, and a protesting attitude of half resistance to Austrian aggression at Ferrara, the Pope arrived at difficulties and hazards which he had never intended to incur. He found himself in the presence of passions and hopes which he had aided to raise, but was most unprepared to satisfy, and of which he had seen the growth without apprehending the force. It seemed to him, as it seems to most men in such circumstances, that he was ill repaid by those, for whom he had done as he thought so much, in being called on angrily to do more. The Romans wished to be free, the Italians wished to be independent, and these wishes were embodied to him in demands mainly for two things the most opposed to his feelings,—for the total secularisation of the government, and for war. He had come, so he flattered himself, to send peace on earth—he found that he had sent a sword. That is, he found the world was more in earnest than he was or wished them to be.

Nor were those wanting at such a crisis who had throughout, as far as the temper of the times permitted them, thwarted his measures and, denounced their tendency. They had, indeed, seen further than the Pope, when they told him that he was opening a door which he could not close at his will; and they could now point to a whole world in angry ferment,—to war forced on the Holy See with a great Roman Catholic Power

generally its firmest supporter, — to an ungrateful people almost in revolt, — and to the separation of the temporal from the ecclesiastical power of the Pope daily threatened, — as to the fulfilment of their worst prognostications. Neither the head nor the heart of Pius were strong enough to repel these arguments. All his recent conduct indicates that he felt that his advisers were right, and condemned himself in his secret soul for not having given earlier weight to their representations. Yet his own future, as well as that of Italy, might have been happier and greater, could he only have felt that, after all, these evil prophets of the Propaganda were in the wrong.

Such was the character, and such were probably the views, of the man whose accession determined at least the time and circumstances of an outbreak, — perhaps, sooner or later, in itself inevitable, — and to whom it was mainly owing, that in 1847 the whole Peninsula was shaken by the movement of which his name was the watchword. Everywhere Italians felt that for the first time for many years they had a future before them. Amid many changes and many hopes, the one greatest hope and the greatest change stood forth prominently under the name of Independence. A question is constantly asked, — What did the Italians complain of? Why desire independence? • What did independence mean?

The governments of Italy for many years past had been almost universally governments of force, obeyed because they could not be safely disobeyed, but not loved, not reverenced, seldom even respected. Where worst administered, all classes suffered alike; where best, the oppression was chiefly confined to those who feel it most, *i. e.* to the higher and more educated, excluded, as in Lombardy, from all that freemen most value, — the chance of influence, the right of free thought and free speech, from the existence, in short, of the citizen of a State. The Austrian government, truly called by Mazzini, in 1845, the best in Italy, formed not the less the strength of the very worst. What was it to the subject of Gregory, or of Modena, that Lombardy was well, or at least better administered, when the presence of Austria in Lombardy embodied not only the denial of that freedom and nationality to which he aspired, but the sum of all the practical misgovernment under which he suffered? If he righted himself, Austria stepped in and repressed him. If he failed, and fled over the border, she delivered him up. She countenanced, upheld, and — when necessary, as in 1821 and 1831, — restored, the petty despots which the people had overthrown. She gave good and unheeded counsel to the ducal or priestly overseer, while she riveted the broken chain of the slave. Her Govern-

ment was the great insurance office for the otherwise dangerous speculations of tyranny. This was what the Italians aspired to change, and the aspiration had the thorough sympathy of most Englishmen. The shock of February came, and the passionate desire soon broke forth in acts. With the tidings that the great capital of Lombardy was freed from the presence of the Austrians, the cry of independence went through the land. Of the minor princes some fled, some bowed before the storm ; the force of Charles Albert was thrown into the scale, and — with the accession of a disciplined army and a recognised government — the war of independence became a reality.

He who now drew the ‘sword of Italy,’ with divided thoughts but a determined hand, that flinched neither before scruples nor fears, was dearly to merit that appellation which flattery and patriotic hope had by anticipation conferred on him. Future moralists will rejoice in one more opportunity of teaching the eternal moral of vain hopes and defeated ambition; future satirists may in different phrases apply their ‘Expende Hannibalem’ to the king of North Italy and the broken-hearted exile of Oporto. For ourselves, the only moral we should value on the subject would be that, be it what it might, which a great dramatist would convey in telling the story of Charles Albert, which has, indeed, in many respects, the tragical interest and completeness of a drama.

This early career, sketched in the bitter lines of the Italian satirist, where he represents, as bowing before the crowned emperor at Milan, foremost among the slavish princes of Italy,—

had, in the lapse of nearly thirty years of time, and seventeen of a generally tranquil reign, nearly passed from the mind of Europe; but it was not forgotten by the Italians, and still less, we may be sure, by himself. The liberalism of his youth, adopted, probably, rather in shallow enthusiasm than with any formed intention of betrayal, may have been utterly worn out of the mind of the prosperous and despotic king; but it was not by hanging his palace with pictures of the storming of the Trocadero that he could hide the stain left on his reputation by the events of 1821, or drive from a mind capable of generous feeling the recollection of deserted friends. At length, after so long an interval, liberalism was again in the ascendant; and the movements of Italy called upon him for popular changes, which — willingly or not — he and his advisers were wise enough to see the

necessity of conceding. Yet, it was by no means certain that these concessions would preserve him through the coming storm. Suddenly the revolt of Lombardy presented him with an opportunity of effacing the blot, and winning more than had before seemed possible to the ambition of his ambitious family. The prince-Carbonaro might yet be known as the prince of his house who had carried its fortunes to an unprecedented height; the betrayer of the liberal cause might yet be famous to all time as the liberator of Italy. The instinct of immediate safety, and a lofty and long cherished ambition, pointed in the same direction at the same moment, to the kingdom of North Italy, as the natural and necessary recompence for driving out the foreigner. Never was a nobler prize held out to ambition than that with which destiny tempted Charles Albert, and, in the sequel, all but gave only to snatch away. He has been severely blamed for (as his conduct is generally described) yielding to the temptation held out, and making unprovoked war on a neighbouring power. Without determining how far there may have been involved in his position a real conflict of duties, we may say that,—while it would probably not have been a conscientious motive which could have held him back, yet,—the explanation of his conduct must undoubtedly be sought for elsewhere than in the mere vulgar love of acquisition. It was an impulse from within, as well as the pressure from without, which had led the benevolent and *Austrian* duke of Tuscany to assure his subjects that he was ‘before all things an *Italian* prince;’ and this impulse, we may be sure, was strong at Turin as well as at Florence. ‘We see no advantage in confusing with such acts as the robbery of Silesia or of Texas an attempt which, compared not simply with the best of these, but with many other historical successes of fairer aspect, was altogether just and glorious,—a deed which the presence of strong compulsion redeemed from gratuitousness, and the presence of lofty motives at least from meanness. In distinguishing, as we may and ought, the right of the Milanese to rise against the Austrians, from the right of the king of Piedmont to assist them in the quarrel, we must not forget how far the considerations, which justify the Lombards, go to redeem from reprobation the conduct of their ally. The cause was noble, and its success desirable, even if Charles Albert had personally no right to give the aid which made victory possible. His having done so will remain one of those acts which some defend, not without misgiving, and others censure, not without sympathy.’

The war began with the fairest hopes and most promising success. On one side was a veteran general, with a brave and disciplined but greatly outnumbered army, with but a doubtful

possibility of reinforcements reaching them, with the prestige of a failing cause against them, with the empire whose rights they maintained apparently falling to pieces behind them, and in a country in which, as it was then said, they had not a friend. On the other side, fronting them, and forcing them back from point to point, was the Piedmontese army, not less brave, more numerous, flushed with success, and in a country in which it ought at least to have found, and might have expected to find, three recruits for every disabled soldier. A king to whom his army had long been a passion, and whose all was staked on success, led them with hereditary courage, emulated by his sons. The other princes of Italy,—some willingly some unwillingly,—or the governments, which the popular will had imposed on the princes, had joined the league. And the question broadly put might seem to be, whether 30, 40, or 50,000 men, under any leader, even if Alexander, Napoleon, and Hannibal were fused into one, in the person of an octogenarian Austrian general, could conquer a population of more than twenty millions, enthusiastic and in earnest (whatever might be surmised concerning their rulers), with two large regular armies already on foot, the Piedmontese and the Neapolitan,—with inexhaustible materials for more,—and with the cry of a holy war in the mouths of all, and undoubtedly in the hearts of many.

We all know how the anticipations of the world, and not only the anticipations, but the hopes, even of many at least in England, who were friends to Italy without being enemies to Austria, were contradicted by the result, and how that result was viewed even by many who most regretted it, with a sad and involuntary admiration for its main instrument.

Radetsky reconquered not Lombardy only for Austria, but the respect and even the unwilling sympathy of those who wished best to the success of his opponents. The history of this generation may furnish names more brilliant by chance or by merit; but it will scarcely furnish one identified with so great a service to the State he has served. The dominion of Austria in Italy may be even more anti-national than in Hungary; but the campaign of 1848 in Italy will bring more honour to the name of Austria than that of 1849 in Hungary. In whatever cause, men will always honour manhood: and the most earnest votary of Italian liberty, looking at the struggle which drew the eyes of all Europe on Lombardy from March to August, will select from the crowd of combatants one hero to admire; — that old man of eighty-three, — the idol of his army, the determined soldier of a dominion which seemed destined to destruction, the one prop of Austria in Italy, doing his

duty, whocver might fail in theirs, shaken as little by sedition at Vienna as by revolt at Milan,— master of the ground he stood on, and resolved to hold that at least for Austria and the Kaiser, — sternly, tenaciously, undoubtingly maintaining the rights of a State convulsed by struggles which many thought the struggles of death, and those of a dynasty which might not survive to thank him for his victory. Even if political partizanship or the hatred of impassioned patriotism strike out the *justum* from the eulogy due to the foremost defender of the cause which they disapprove, there will still remain indestructible reverence for the man, ‘*tenacem propositi*,’ resolute to do *that* which he has determined should be done.

Of all men the Italians should look firmly and earnestly upon the conduct of the enemy who showed so conspicuously the qualities in which they particularly failed. Men of all nations do sometimes require teaching,—and perhaps out of the twenty millions of Italians some large portion required to be taught,—that, when matters once come to blows, many complicated things are, by that simple process, placed on a single issue. Not only the right and the wrong of the cause, — not only the readiness of individuals to die for their country — not only unanimity of sentiment,—all these may be there: And yet the battle shall be to the *strong*, to those who choose their end boldly and their means wisely, and use them to the utmost perseveringly. Enthusiasm, to be respected, must be deep as well as real: *circoli* are not regiments, terrifying proclamations do not dispense with accurate drilling. There may be flashes and outbursts of real feeling,—demonstrations of passion by no means fictitious in a cause worthy of the truest passion; floods of merited invective, patriotic tears, embracings, eloquence, and effusions without end. Yet, compared with all these, the stern stroke of the world-dividing sword shall *not* be ignoble.

There is another lesson too. The fable of the bundle of sticks is probably older than the Pyramids: but the Ionian cities, conquered more than 2000 years ago one by one by the generals of Cyrus, and the Italians of 1848, alike had to learn its moral. The actual force contributed by the Lombards in aid of Charles Albert’s operations we take from the following passage of General Pepe:—‘ Towards the end of April, Charles Albert marched with his columns towards the Mincio, which he passed. He had under his command 60,000 Piedmontese, 5000 Tuscans, 3000 men from Parma and Modena, 17,000 from the Roman States, 5000 Lombard volunteers; in all, 90,000 men; without including large Lombard battalions which were being formed with much celerity.’ Whether these large battalions were

formed with sufficient celerity to take any part whatever in the struggle, or what part they took, is not clear: certainly, they never took a very active or efficient part. But 5000 volunteers — yes, that was the actual contribution to the strength of the Piedmontese army, the nucleus and main support of the struggle, from provinces rivalling Piedmont in population and wealth, themselves the seat of the war, of which their freedom was the prize. The Milanese, in short, thought the work was done, or as good as done; they mistook commencement for completion, — an error how frequent and how fatal! Having acceded, rather grudgingly, to the union with Piedmont, they seemed to leave their quarrel in the hands of the king of North Italy; with something (one is disposed to guess) of the feeling of a man who has disposed of the responsibility of his suit in the hands of his lawyer. With a rash confidence in the result rather than a base supineness, they waited for the capitulation or final retreat of Radetsky, exactly as the Sicilians waited for the fall of the citadel of Messina, when they might have won it and their permanent liberty by a calculated sacrifice of men and money. The result was similar and similarly merited in both cases.

The inefficient support given to Charles Albert was, however, due not only to this idle temerity, but to a perversity, if possible yet more culpable, on the part of one of the most active, if not most influential, parties which divided the Italians. If there was one cause which even more than the defection of Pius or of Naples contributed to Charles Albert's failure, that cause was the want of hearty support from the so-called Republicans. That party includes men who have suffered much and for years in a cause which for them is the cause of Italy. For this reason, if for this reason only, we should be little disposed to echo a great part of the accusations flung profusely on this unfortunate party; which has been made, not always justly, the scapegoat of revolutionary sin, in Italy and elsewhere. But on the present most serious point of charge, the whole world condemns the Republicans, and we cannot acquit them. Their head and mouthpiece himself has precluded us from doing so. It is not merely on the strongly supported and unanimous complaints of the Piedmontese and their immediate adherents that we base this painful conclusion. In the course of the spring of 1849 three letters appeared in the 'Spectator,' with the signature of Giuseppe Mazzini, containing an exposition, in the interest and behalf of the Italian Republicans, of the character of the struggle of 1848, and the main causes of its failure. That manifesto alone seemed to condemn the Republicans on this

specific charge,—that they did not, in the campaign of 1848, do their utmost to defeat and destroy the enemy. It is a charge which we intentionally place thus in the most naked and *court-martial* form, because we think it requires to be thus limited; and because thus, limited, and accompanied with all possible palliative defences and mitigations,—such as general disunion, want of time for preparation, the superseding of all their plans alike for campaigning and for government, by others of a more monarchical nature, and a distrust of their preponderating ally,—we yet feel it to be a most heavy charge, and one from which we would most willingly have acquitted men wanting neither courage nor foresight.

Mazzini's recent publication, 'Royalty and Republicanism in 'Italy,' directed as it is expressly to the vindication of the Republicans, appears to us to convey an equivalent admission; especially in a remarkable passage at pp. 55, 56. M. Mazzini being at Milan, where the dissensions of the Republicans and the Moderate Provisional Government were extreme, there came to him 'sent from the camp, a bearer of strange propositions, an 'old friend and loyal patriot.' The propositions were in effect—that the Republicans should heartily support the King and the fusion of Piedmont with Lombardy—in short, give up the idea of an Italian Republic, and that they should in return have influence in framing the constitution of North Italy. 'He proposed also an interview with the King and I know not what 'beside.' 'We, the Republicans, had three ideas,' says M. Mazzini; 'first, the independence of Italy; next the unity, *without which independence is a lie*; third, the Republic.' Unity, in M. Mazzini's conception, was essential. The Republic he was willing to postpone. What he required of the King was explicitly to declare for that *unity*. 'Since all the governments 'were hostile to him, he must *break with them, all avowedly*, 'and assemble around him—united and exalted by one great 'thought—all the patriots which Italy could number, from the 'Alps to the furthest confines of Sicily. Thus we should have 'known that he spoke and intended to act seriously, *and we* 'should have used every effort to raise in his aid all the *revo-* 'lutionary elements of Italy. If he did not mean this, better was 'it to leave us in peace.' M. Mazzini afterwards gives the declaration which, or something like which, he desired that Charles Albert should issue in accordance with this view. The first words are, 'I feel that the time is ripe for the unity of our 'country:' it calls, in inflated language, on the Italians to overthrow the barriers (*i. e.* the governments) which separate them, and assemble round the King. 'In the name of God and

‘ Italy I tear the ancient treaties which kept you dismembered, and which are dripping with your blood.’ This, then, was M. Mazzini’s *sine quâ non*: a declaration of hostility to all the existing governments of Italy, whether vacillating, neutral, or friendly. If Charles Albert would do this, the Republicans would raise in his aid all the elements at their command. ‘ If he did not mean this, it was better to leave us at peace.’ The friend departed: a few days after I was shown a letter of Castagneto’s, which said, “ I see very well nothing can be done on that side;” and I ask, on the other hand, when may we expect an idea, generous, potent in its spirit of love, containing the future of a nation, to take root in the heart of a king?’

We will not ask whether fanaticism can ever be generous, but we will ask whether Castagneto’s remark was not justified; whether the course pointed out was the way to union; whether it was defensible on the score of prudence or practicability, to say nothing of right? M. Mazzini does not give the date of the interview; but it is clear, from the context, that it was earlier than the 12th of May. At that time Naples was still on the Italian side, with an army of 80,000 men, whom this declaration would have made an enemy’s army. We note the passage, however, not for discussion, but as showing, on the part of the Republicans, that they did not do their *utmost* to overthrow the Austrians. General Pepe himself is, as he takes abundant opportunities of telling us, a republican in principle; in fact we take him to be a disciple of the school prevalent in 1789, but somewhat antiquated now, which drew its models and its ideas from the heroes of Plutarch. As such he of course disapproves of kingly government in itself; but this did not prevent him from giving, like a man of common sense, his earnest support to the destined king of North Italy; neither does it prevent him from doing justice to the honest intentions and devoted courage of the king and his army on one side, and to the selfish folly of the patriots on the other. How different from the language of Mazzini, and still more of Savelli! Take this summary of the causes of the failure:—

‘ But for this once fortune seemed to protect Italy, by a royal exception in her favour. The only one of her princes of real Italian dynasty, and able to dispose of an army of almost 100,000 valiant men, warmly embraced the national cause. This circumstance would have been sufficient to insure the success of Italy, if the valorous prince, who had the generosity to hasten to the aid of the intrepid Lombards, had not been perpetually thwarted by a proud and poor aristocracy, by his Jesuit clergy, and by no small number of patriots,

some of whom, through ignorance, others through self-interest, acted to the prejudice of Italy, by giving themselves up to the most senseless anachronisms, since they were more impatient to obtain liberal institutions than to drive away the foreigner, whose presence signified slavery. Why did they not remember those magnanimous words of Charles Albert, "L'Italia farà da sé"? Had it not been for these misfortunes, this prince would have redeemed Italy — thanks to his own valour and that of his troops, and in spite of the want of a mind to organise an army and lead it to the enemy.' (Pp. 297, 298.)

Yes, in spite of errors and evil fortune, and the defection of false and half-hearted friends, the independence of Italy must have been achieved, had those who really desired it but had the common and obvious prudence, at a time when imprudence was a crime, to postpone other questions for the moment, and strive with one will for the one object of making her so.

In pointing out reluctantly, and if with some anger with more sorrow, these causes of the Italian failure, we cannot, in fairness, forget the serious and less avoidable evils which arose from other sources. Among the heaviest blows must be counted the two greatest defections from the apparent unanimity of all Italy against the foreigner — those of the King of Naples and of the Pope — events almost coincident in time, parallel in importance, and probably not without connexion, more or less direct. We defer a fuller notice of these events to its appropriate place in the outline of the leading incidents of the Italian revolution, which we now propose to trace.

The great revolt of Milan broke out on the 18th of March, 1848. This event, which did not cause, undoubtedly precipitated, the intervention of the Sardinian Government; though the language held by its organs, the gathering of forces on the line of the Ticino, and the general tendency of events, had prepared even Austria to expect such a step. It was not, however, until the very night of the 23d that the great resolution appears to have been finally taken.* Under date of that day, the Government of Piedmont addressed simultaneously to the 'peoples of Lombardy and Venice,' and to the envoy of the Austrian Government, two documents of somewhat different tone. The first spoke the language of a rightful and determined deliverer, rejoicing in the happier destinies which at length smiled on the 'intrepid defenders of trampled rights,' and offering to the Italian cities the help which 'brother expects from brother and friend from friend.' The note to the Austrian ambassador was apologetic rather than denunciatory. Preserving the forms

* Parl. Papers, II. p. 184. Letter from Mr. Abercromby.

of diplomacy, rather than assigning a real reason, it grounded the royal right to interfere on the defensive treaty lately signed between Austria and the Dukes of Parma and Modena, which it assumed to be prejudicial to the reversionary rights of Sardinia; then, touching shortly on a more operative reason in the danger to which the ferment in Lombardy might expose the throne of Piedmont, should a republic be proclaimed at Milan, the king, finally, considered himself obliged to take such measures as by preventing the movement in Lombardy from becoming a republican one, shall spare Piedmont and the rest of Italy the calamities which might ensue if that form of government was proclaimed.

Contrasted, these documents look insincere; combined, they contain the truth. There was real fear, and there was also real sympathy. The more ignoble was the more diplomatic motive. Some additional colour of right was sought to be obtained for this motive from the fact that it was not until the chiefs of the Milanese, being actually in possession of their city, sent a deputation to the King to entreat his interference for the preservation of order, that the final resolution was taken. But this is really of little importance. If the Sardinian interference to preserve order in Milan — in other language, the Sardinian attack on Austria — is to be justified, it must be on other grounds than a deputation from Milan, which was sure to follow upon the success of the Milanese.

The revolt is usually spoken of as the 'five days' of Milan; it was, however, on the night of the 21st that Radetsky commenced his retreat, after several days of bloody and exhausting struggle. We have his own testimony to the severity of the contest. Words almost fail the old warrior in speaking of his soldiers. He is forced to omit details, but

'One observation,' he says, 'I must make: my troops are really wonderful; they perform impossibilities, and maintain their courage, though they have now enjoyed no rest for four days, and have fought in the most dreadful weather. It *almost breaks my heart* that such courage should not be employed against an open enemy.'*

That is, we presume, an enemy in the open field. Such praise of the assailed is in itself praise of the assailants; but let us hear the Marshal again on the temper of the Milanese, for which our readers perhaps may be able to find another word than *fanaticism*:—

'On the 20th,' says the Report, 'the contest was renewed with the greatest ardour, and many victims fell on both sides. The Field-

* Parl. Papers, II. p. 333.

marshal could still give no account of his losses, as he had no time to ascertain them with any precision. In Milan the very foundations of the city were torn up; not hundreds, but thousands of barricades crossed the streets, and the enemy displayed, in the execution of their plans, so great circumspection and audacity, that it was evident that military leaders of foreign extraction must have been placed at their head. "The character of this people," says the Field-marshal, "has become quite changed; *fanaticism* has seized every rank, every age, "and every sex."*

"*O si sic omnia!*" It needed but a few months' steady continuance of the same temper to have assured and justified the independence of Italy.

In spite, however, of the fanaticism of the Milanese, the Marshal states himself to have been successful in every conflict; which may be true, though it is clear that he made no deep impression on the strength of the insurrection. The want of provisions, the interruption of the communications, and, more than all, the risk in which he would be placed by the expected advance of the Piedmontese army, forced him, reluctantly, from Milan.† He retreated towards Lodi, "in order 'to avoid the large towns.'‡ An attempt was made to stop him at Melegnagno, which he stormed and burned; and he reached Lodi unmolested, with the intention of occupying the line of the Adda, and renewing his attack on Milan. By this time, however, the revolt was universal, and its success almost equally so. Venice had fallen into the hands of the Italians, almost without a blow; and the Piazza of St. Mark heard the Republic proclaimed once more by the voice of Manin—one who bore the same name with the last Doge of Venice and an opposite character. The example was speedily followed by the other towns of the Venetian provinces; large bodies of Italian troops went over to their countrymen; Radetsky abandoned the line of the Adda, and retreated to that of the Mincio;

* Report from Field-marshal Radetsky.

† It is stated in the report referred to, that Radetsky was driven from Milan by want of provisions and the *declaration* of war from Piedmont. This is clearly incorrect, as has been shown. The retreat being on the 21st or 22d, the declaration of war conveyed in the address to the Popoli di Lombardia e Venezia, being dated the 23d, and appearing, in fact, on the 24th.

‡ We note this as an indication, thus early, of the alleged difference of feeling between the *towns* and the *country* respecting the Austrians. We do not doubt that the difference existed in some degree; though it has been greatly exaggerated into a proof that the Austrian rule was *popular* with the majority.

and a sharp action on the 12th of April gave to the Piedmontese that river, along which they took up strong positions, the forces under Radetsky being concentrated in front of Verona. In these great provinces, a month before under the sway of Austria, the ground she held was reduced to the points occupied by her army under Radetsky; but the points were one of the strongest positions in the world, and so occupied, became the turning point of the campaign. He stood firm and waited; hoping for reinforcements from the Tyrol, and yet more from the junction of the corps advancing under Nugent on the side of Venice, through the province of Friuli.

It is the opinion of General Pepe, as well as of others, that time which might have been better employed was wasted in front of the position of Radetsky, and especially in the siege of Peschiera. At the end of May Radetsky attempted to relieve the fortress by a fierce attack on the Sardinian lines; and the 28th, 29th, and 30th of May were days of sharp fighting; but at Goito, on the 30th, he suffered a severe repulse, and Peschiera almost simultaneously surrendered. Doubtless this was an important military achievement, but more brilliant than useful. ‘This success,’ says General Pepe with some *naïveté*, — or rather his translator, — ‘would have been an advantage had it not had the most fatal results;’ results summed up in its having lost more time than it was worth. Events had not stood still in the meantime. While Radetsky was holding Charles Albert at bay on the Mincio, the corps under Nugent was coming down from the passes of Friuli. Nugent made his way into and through the Venetian provinces, in spite of a somewhat inefficient resistance on the part of the Papal troops and volunteers under General Durando, and other free corps; and before the end of June, the main body had joined Radetsky at Verona, leaving the reserve before Vicenza. By a movement which — following close on the battles of May and capture of Peschiera — appears to have been mistaken for a retreat, the Field-marshal suddenly withdrew from Verona, with the greater part of his forces, — fell upon Durando at Vicenza, — compelled him with the forces under his orders, amounting to 15,000 men, to a capitulation on the terms of retiring from Lombardy, and of taking no part against the Austrians for three months, — and returned to Verona before his enemy there had been able to take advantage of his absence, or had discovered its real object. The result of this signal success was, to place successively, and almost without a blow, Treviso, Padua, and in fine all the Venetian provinces with the sole exception of Venice and the Lagunes, again under the Austrian rule.

Before this time the Pope and the King of Naples had, each

in his way, contributed their share to the ruin of the Italian cause : And it was during these most critical days,—that is, during a short interval of time including the battles of the Mineio, the capture of Peschiera and the defeat of Durando,—that General Pepe, still in nominal command of the Neapolitan army, was attempting to induce the troops to act rather as Italians than as servants of the King, and to follow him across the Po. It is necessary to go back a little in order of time, to notice the circumstances out of which arose the calamitous turn of things at Naples and at Rome. The ferment which pervaded all Italy, had, up to the end of 1847, produced little or no effect on the attitude of the Government of Naples. This Government accordingly, personified in its King, occupied in the popular Italian mind the position precisely opposed to that of Pius IX.,—opposed as hate to love, as despotism to freedom, as evil to good. At last the ferment made itself practically felt within the kingdom of the two Sicilies itself, first at Palermo, and then at Naples. Concession was necessary — some concession, some improvement ; and the King, whether by accident or by policy, suddenly and at once conceded more than any other potentate had hitherto granted, — and thereby gave, in the judgment of our observing diplomatists, a strong and apparently intended impulse to the democratic forces in all the other States which had felt and acknowledged the popular movement so much earlier. It was the hare and the tortoise reversed. In the race for liberal institutions, Naples had suddenly started from sleep, and outrun Turin and Rome ; and they were now eager to regain their relative position.

Naples having thus become, in M. de Lamartine's phrase, a democratic kingdom of the level of 1791, gave, by her accession to the war of liberation, the aid of a numerous and well-appointed army ; which, if its military qualities have sometimes been disputed with apparent justice, was not the less the only regular army in Italy worth mentioning after the Piedmontese. In all, 41,000 men were to be employed in the campaign, of whom 17,000 actually marched ; the rest were to follow ; and the command of all was vested in General Pepe, whom, with so many others,—the proscribed liberals of twenty or thirty years,—the reflux of the wave had brought suddenly back from London or Paris to Italy. That Fortune, whose strange dealings with men and things do indeed give the impression of one '*sævo LÆTA negotio*,' throwing about serious interests in the very insolence of sport ; or that Destiny, which takes up and casts aside a broken or no longer useful tool, to be resumed when needed ; or whatever name we choose to give to the power

whose real home is in the changing hearts and wills of men — had brought the leader of the last generation's revolution from afar to attempt to consolidate another, and fail again ; to be for a few weeks the confidential, or at least intimate, adviser of a King whom he recollects as a child ; the foremost person of his native city, the leader of her army to a national war, and, in a few weeks more, a disowned and soon again a proscribed exile.

So considerable a force could not but have had most sensible effects on the result of the war, had it ever come into action ; but from the beginning it was doubtful whether it would do so.

General Pepe gives us some account of the interviews between himself and the King ; in which, to do the latter justice, he does not seem to have taken much pains to mislead the General as to his inclinations. He did not, to be sure, exactly emulate the simplicity of the Commander-in-chief, who, with ‘ frankness ‘ which surprised himself,’ as we confess it surprises us, took an opportunity of explicitly acquainting his reconciled sovereign with the attempts he had made to procure in England the means of acting against him in Sicily. But General Pepe, even before commencing his march, received written directions not to cross the Po without further orders ; which directions, he tells us, he never compromised the safety of the King by mentioning to any one, and never intended to obey. We may say here, once for all, that between the claims of Italy on the one side, for which he had been half his life in exile ; and the King on the other, who had, we can hardly say entrusted him with, but permitted him to take, the command of his troops, — General Pepe preferred, without hesitation, the former. He obviously followed that which he thought the line of his highest duty, and we leave it to others to contest the justice of his choice. He tells us, frankly, as he does every thing, that he found the soldiers generally devoted to the King, rather than to Italy ; and he made it an object to infuse into them what he deemed a higher loyalty. But their enthusiasm for Italian nationality was obviously weak enough ; and General Pepe never had an opportunity of testing what might be made of their military emulation in front of Austrian bayonets.

The Sovereign of Rome was committed to the war of independence, if any words and deeds could commit him short of direct declaration of war against Austria. He had authorised the march of the Roman volunteers, he had blest their banners, he had sent his troops to the frontier, which he knew they would cross. He had sent a representative to the camp of Charles Albert : he had even suffered orders to be sent to his general to place himself in communication with, and to operate

in concert with the King. Not only was he, humanly speaking, the cause and origin, as his name was still the watchword, of all the bloody strife; but he had done, ten times over, what no conscientious man, disapproving of the war, should or could have done. Suddenly there occurred one of those events which, slight in themselves, sometimes influence the destinies of nations. The Pope's confessor — for the vicegerent of God himself confesses his sins, and receives absolution for them from human hands — died. The importance, rightly or wrongly attributed to this event, is illustrated by its having at the time given occasion to some rumour of that suspicion, so commonly excited in former times by important and unexpected deaths — the suspicion of poison: the influence of the confessor had been believed to be so great, and to be opposed to the counter-influence of the retrograde party. His death took place early in April. On the 29th of that month was uttered the famous 'Allocution' in the consistory of Cardinals, in which the Pope took, for the first time, a decided stand in opposition to the new ideas and the war. Sharply censuring by inference those who demanded the further secularisation of the government at Rome — pouring upon them, as 'men who had abused benefits,' the bitter unction of priestly forgiveness, with a prayer that God would 'avert from their shoulders the scourge which awaits ungrateful men,' the Pontiff went on to declare, in direct words, that his conscience was too tender to permit him to undertake a war against 'the Germans,' which was 'wholly abhorrent from his counsels,' and, moreover, inconsistent with his character as the minister of peace among men.*

We are not judges of motives; but there can hardly be a doubt that by the step taken at this crisis Pius simply inflicted

* We give the most marked passage of this remarkable document, characteristic of the man and the time. It might furnish texts for twenty 'Latterday Pamphlets': —

'But when now some desire that we, likewise with the other people and sovereigns of Italy, should undertake a war against the Austrians, we have at length thought it our duty, that in this your solemn assembly, we clearly and openly declare that that is wholly abhorrent from our counsels, seeing that we, although unworthy, discharge on earth the office of Him who is the author of peace and lover of charity; and agreeably to the duty of our supreme apostleship, regard and embrace with equal paternal earnestness of love, all tribes, people, and nations. *But if amongst our subjects, nevertheless, there are not wanting those who are dragged away by the example of the other Italians, in what manner finally shall we be able to restrain their ardour?*'

Is the stain of Austrian blood, then, so much deeper on a Pope's robe than that of Roman?

the heaviest blow in his power on the cause of Italy, and the heaviest blow which any one man could inflict. He gave at once an excuse for desertion and flight to the soldier, and to the revolutionist a fulcrum for his lever. Taken at the worst it was treachery; taken at the best it was an abnegation of the capacity and duties of rule. It was a '*judico me ipsum cremari*' — a declaration of fitness to be deposed.

By the course thus adopted, Pius indeed might have made his deposition seem improbable, had he not made a compromise with his people as he had with his conscience. They excused him from declaring the war which he permitted them to make. He did not, after all, order his troops to return from Lombardy. He would not send them; he had not in fact sent them; he would not make war; but his people would go to war, and he let them go. In the assembly of priests, the priest protested; and that satisfied the conscience of the king. As for the duty which would have been incumbent on every temporal ruler, of either turning his protest into act, or laying down the power which he could not exercise according to his notions of right, from that the monarch was exempt: — the said monarch being also the representative of the kingdom of right on earth. Never was the practical fallacy involved in the union of these powers brought into such marked prominence. Pius demonstrated for himself, at least, and perhaps for his successors, the insolubility of the problem, which they insist on continuing yet to try to solve.

At this time the King of Naples was still a constitutional king, waiting the first meeting of his parliament. Between him and the elected deputies a violent dispute existed already. The nominal ground was the wording of the oath to be taken by them. It was the King's object so to frame it, as to tie them strictly down to the constitution already granted; it was theirs, to avoid being so limited. The real ground, as even this statement shows, was mutual, rooted, and to a certain extent, mutually just suspicion. A change of tone on the King's part, which preceding by a few, and but a few days, the publication of the Pope's address, probably did not precede the knowledge of its contents, deepened the distrust. That he spoke openly to his ministers and others of the probable recall of the army may or may not be true; that his wish fathomed that thought, no one doubted. The position of the King sending his army to the frontiers to fight against the Austrians, was in some degree parallel to that of Louis XVI. when he had declared war against the European Powers in the name of the Revolution. His character and his resources, in the affection at least of the troops and of some portion of the people, were totally different;

and accordingly the 15th of May was, to use a French form of speech, — a 10th of August *manqué*.

Never did men commit a heavier offence against their country than those who forced on that miserable conflict. It was a great crime and an inexcusable folly. The King, if not blameless for the course which led to his being attacked, was blameless in resisting: he beat his enemies, and at once took the step for which they had laboured to give him an excuse.

On the 22nd of May, General Pepe, in command of the Neapolitan army at Bologna, received despatches from Naples, directing him to lead back the troops, or resign the command for that purpose to General Statella. He obeyed the order so far as to resign his command; but the remonstrances of the people of Bologna, on receiving the intelligence, persuaded him easily to resume it within a few hours. He made every effort to induce the troops to follow him, but without much success. Always more devoted to the King than to Italy, they certainly had little inducement to follow an almost unknown general any further into the war: considering that the war had now itself become a revolt against their own government, and held out to them the prospect indeed of a glorious deliverance which they did not passionately desire to accomplish, but coupled with the certainty of heavier blows than they cared to receive. Out of the whole force under his orders but between 2000 and 3000 followed the General across the Po. With this remnant, faithful to their ideas and to their leader, he made his way to Venice, where the Provisional Government made him at once Commander-in-chief. In that capacity he conducted the defence of the city; a defence which the advantages of the position, and the steady endurance for fifteen months of the inhabitants, enabled him to protract until August, 1849; and to the gallantry of which he can quote with just pride the testimony of his enemies. Reduced to relinquish his hopes of serving the Italian cause in the field at the head of a large army, it is some credit to him that he neither despaired of success, nor shrank from discharging to the utmost the duties which fell to his lot. To have contributed so conspicuously to the most stainless page of the Italian revolution, is some, though not an adequate consolation for having had the apparent means of its success taken out of his hands at the very moment when most needed.

The order of recall reached Pepe on May 22d, and checked his advance; Peschiera fell on May 30th, Vicenza on June 11th. Had the Neapolitan army not been withdrawn, it would at this most critical point of the contest have been united with the corps of Durando, forming together a force of 30,000 or 40,000

men, under the orders of the Neapolitan general ; a force which might probably have made Radetsky's dash upon Vicenza too imprudent to be risked, or might have altered its result if made ; and which must, in any case, have most momentously influenced the state of things in the Venetian provinces. If the King of Naples wished to earn the gratitude of Austria, he chose his time well ; perhaps it was the exact moment at which even the sword of Naples would have turned the scale.

The capture of Peschiera was loudly bruited as a triumph ; yet all keen observers, and above all the immovable old Marshal, saw that in fact the tide had not only turned, but had already ebbed far. He had stood firm against its full flow ; he was now prepared to take the utmost advantage of its receding : and it is, as we shall hereafter see, neither simply to the attitude taken by him, nor to his strategical successes, but also to his counsel, to his representations of the chances of success and his earnest remonstrances against yielding, that Austria has to attribute the preservation of the whole of these provinces, the greater part, if not the whole, of which she was on the point of relinquishing. How did the Italians at this moment appreciate their own position and that of their enemy ? Let us hear General Pepe's description — a description which all contemporary recollections will confirm : —

'Throughout all Italy were vaunted the taking of Peschiera, and of the positions of Rivoli, and the advantages obtained by the Italians in several encounters ; but all mention was omitted of the fact, that Radetsky had received most powerful aid, that he was again master of the Venetian provinces, and possessing unmolested communication with Austria, could obtain whatever succour he might need.'

Is not there the 'mot d'énigme' — an adequate explanation of any amount of disappointment and failure ? Men who will not look fairly in the face and study to appreciate the facts of their position, are self-condemned to the defeat which they merit.

In the mean time the events which had drawn the attention of all Europe, had drawn above all the attention of the statesmen whose wish and duty it was to preserve the peace of the world, which day by day was endangered by the contest on the Mincio. France, under the direction of her lyrical ruler, had mustered her armies on the frontier ; to do what, is not so clear — but something at all events. M. de Lamartine's intention, as referred to by us in our recent article, was to pass the Alps in arms in any case ; a proceeding which would have had results of one kind or another. The result which, on his own state-

ment, was mainly contemplated by Lamartine we shall notice shortly.

England sympathised, and could not but sympathise, with the efforts of the Italians. It would have been useless, as it would have been false, for any statesman, speaking in her name, to have wasted words in disclaiming, for himself or his country, the existence of this feeling; yet she had, through her minister, communicated formally to the King of Sardinia her disapprobation of his attack on Austria; and she might, without inconsistency, be regarded as a well-wisher to both parties. Unless the matter was to be fought out to the last, her mediation, with the assent of France, seemed at once the most natural and only possible means of terminating the quarrel. That mediation was accordingly invited by Austria. The Parliamentary Papers now enable us to appreciate with sufficient clearness the details of a negotiation, if it may be so called, which was conjecturally known in its leading features at the time. While Radetsky was confidently collecting himself on the banks of the Mincio, M. Hummelauer was in London exchanging with Lord Palmerston notes which are even now of great interest, and which might have been of great importance, had not the possibilities which they contemplated remained only possibilities.

Austria declared her readiness to make peace on the terms of giving up the whole of Lombardy --- first, to a separate administration under an archduke taken from the House of Hapsburg; next, to Lombardy herself, as an independent power, free to choose her own government, or unite herself to any other, even to Charles Albert; though the hope that she might prove a thorn in his side was undoubtedly and excusably present to the mind of the Austrian diplomatist. Austria, however, was resolute to retain for herself the line of the Adige and the Venetian provinces, under a separate government, which it was promised should be one of the most liberal form. These concessions, which would have been great indeed for Austria at any period before March, 1848, or after July, 1848, seemed in that interval little. The almost total loss by Austria of her Italian provinces, as it were at one blow and in one day; the apparent hopelessness of her recovering them by the sword; the doubt whether countries, in which such a spirit against Austrian rule had been manifested, could ever again become secure or useful portions of the empire; and, above all, the certainty that the Italians having, as they thought and as it seemed, all in their hands, would not accept half, — all these considerations told strongly against the possibility of a peace founded on any compromise of a territorial kind, and against its permanence if

concluded. Accordingly the evacuation of Italy, combined with pecuniary arrangements for transferring a proportion of the public debt of Austria to the separated provinces, were the only terms which, in the view of the British cabinet, could be proposed with that chance of success essential to justify interference. Those who most regret can yet hardly wonder that these terms were not accepted. Deeply struck though she was, Austria could not at once consent to give up every thing, even when it seemed possible enough that all might be torn from her without compensation. On the other hand, her assailants seemed likely to be contented with nothing but the complete success which they hoped to achieve. The idea of mediation on the basis proposed by Austria was therefore declined.

On this subject there is, at p. 481. of No. II. of the Papers presented to Parliament, an interesting note from M. Hummelauer, written at a critical moment. On the 23rd of May M. Hummelauer had presented to Lord Palmerston the first form of the Austrian proposal; according to which Lombardy was still to form part of the empire with a separate administration under an archiduke or viceroy. This was probably put forward rather as a matter of form than of substance: a preface to the real project. On the 24th, acknowledging the entire justice of the observations which had been made on this project,—in other words, admitting entirely the objections raised to it,—he submits the plan based on the separation and complete independence of Lombardy. On the 26th he writes the note in question; evidently not in the cool considered tone with which diplomacy conceals thoughts, but with that more untaught and, in Talleyrand's view, erroneous use of language which reveals them. It appears to be penned immediately after the perusal of a letter from Mr. Abercromby to Lord Palmerston, which had been communicated to him; in which the hopelessness of prevailing on the Italians to make peace on any other terms than those of the total evacuation of Italy by the Austrians is forcibly stated. It is clear that the latest news from Vienna had almost simultaneously reached Baron Hummelauer, and that it was of a reassuring character; more especially, if we may conjecture, with reference to the temper of the Austrian armies. With considerable passion and some force of argument, M. Hummelauer rejects the concessions pressed upon him. To give up Venice, he says, would be to give up the Italian Tyrol; which also is claimed as part of Italy by the Lombards. Can the Imperial Government ever contemplate *that*? If the idea of the arrangement suggested by Mr. Abercromby could have been listened to two days since, he says, it is no longer admissible.

sible now. ‘*Cette idée était naturelle aux Italiens, qui aiment à nous croire morts—nous ne le sommes pas encore!*’ Words which were to be verified.

The greatest of the great evils involved in the prolongation of the war,—the peril of a French intervention,—was dreaded almost equally by Sardinia and Austria; perhaps even more by the former. When the minister of Charles Albert, on being questioned in the Chambers as to the intentions of France, replied, in intentionally marked expressions, that ‘France will not interfere unless invited by us; and *as we shall not invite her she will not interfere*,’ his words were received with an enthusiastic approbation, which recognised in them not only an assurance gratifying to national pride, but an exemption from great danger. The mind of every hearer could supply the ill-suppressed thought, ‘*Non tali auxilio.*’ It was then thought impossible that circumstances could arise to justify the invocation of an aid so perilous, if not so fatal: an aid, nevertheless, to be invoked at last—and to be invoked in vain.

With reference to the fear which made the Sardinian Government shrink from that aid, we will call two witnesses, besides that permanent witness who might render all others superfluous—Rome. Our witnesses are, M. Hummelauer and M. de Lamartine. The declaration of the former is curious.* We do not, he says in effect, greatly fear the threat of French intervention. We can but lose Italy, after all. Should France interfere, we will not resist. She shall not have the opportunity she covets of winning a battle. We will permit her to occupy Lombardy; we will retreat behind the Adige, and occupy that line: should she advance on us there, we will not oppose her: we will retire from Italy; we will leave the Italians to themselves, and to the experience, once more, of French occupation. Such an apparently candid exposition of intentions previous to events as this, is, we may suspect, rare in diplomacy; and we need not inquire how far this pacific policy, blending the outward harmlessness of the dove with the wisdom and, perhaps, the venom of the serpent, would have found a compliant instrument in the Austrian Commander-in-chief. But if we regard it merely as the form chosen by M. Hummelauer to point the moral of French interference, and the results which might be expected from it, it is sufficiently significant.

If M. Hummelauer at least illustrates thus the reluctance of the Sardinian Government to call in the French, M. de Lamartine does more: he proves that it was well founded. In that first

* Parl. Papers, II. p. 473.

night at the Hotel des Affaires Etrangères, when alone in the palace yet tenanted, to his imagination, by the shade of his predecessor, he meditated at once the transitory vanity of all human things, and the means of securing his own government for to-morrow; — in that night when the ~~strangest~~, and not altogether unelevating thoughts, suggested by the strangest position ever occupied by mortal, must have passed through the brain of the man of genius, — a more than Alnaschar with his dreams more than realised, — even then the Gallic instinct of aggression was awake, and among, let us hope, the dreams of a loftier ambition for France and for mankind, suggested the selfish speculation of ‘developments’ in Savoy. The general anticipation expressed under the general phrase ‘development,’ took a more definite shape when the particular case arose.

He states that on the willingness of Austria to make peace on the terms above stated being pressed upon him on two distinct occasions, he was, and he so expressed himself, entirely disposed to approve of them. He does not tell us that he took any farther step to forward the arrangement; but he does tell us the ground of his approval. ‘Deux fois ces ouvertures lui furent faites semi-officiellement, et deux fois il tint le même langage. Il n'eût été ni honnue d'état ni patriote s'il les eût repoussées. Car la conclusion d'un arrangement pareil permettait à la République de rectifier une de ses frontières ébréchées après les Cent-jours par le second traité de 1815, et il y pensait de loin.’

Even on M. de Lamartine’s own showing we can hardly believe that his readiness to accede to an arrangement which he held to be so beneficial to Italy, was largely influenced by his hope to avail himself of the opportunity for ‘rectifying’ the frontier of France by perpetrating a robbery on Piedmont. But he speaks a language and expresses a thought but too familiar and acceptable to his countrymen, when he defines the duty of a patriot as consisting in such rectification of the frontier at the expense of an ally.

Austrian affairs had improved in the interval between the attempt to negotiate in London and the middle of June. Nevertheless terms, similar to those on which the intervention of England had been invited, were afterwards offered by Austria as the basis of negotiation, — not to Charles Albert, with whom, as with a false friend, she had a natural reluctance to communicate, but — to the Provisional Government of Milan. By them they were at once declined. Unfortunately, perhaps, but almost necessarily: after the vote of union with Piedmont, Milan could not make a separate peace. How too could they have abandoned the Venetians? This offer to the Milanese,

rejected on the 18th of June, was the last. The sibyl's books of fair promise were all burned ; the tide had *not* been taken at the flood, and fortune was already out of reach.

From the published correspondence we may infer with tolerable certainty the tenor of the communications which passed, on this particular question of peace, between the Austrian Government and their General in Italy. More especially there are two interesting letters from Lord Ponsonby, which enable us both to appreciate the effect produced by Radetsky's tone, and to note the most critical point in the struggle. The extracts are short, and so interesting that we think we may be justified in quoting them almost entire. It will be seen, from a comparison of the two, how the fate of Italy was wavering in the balance.

‘Innspruek, June 18. 1848.

‘I have heard from good authority that Marshal Radetsky, after providing for the necessary garrisons, has a force of 30,000 men, and that the Piedmontese amounts to 50,000.

‘These armies each of them occupy an extremely strong position, and are supposed at present to be unattackable with any fair prospect of success for the assailants. Radetsky has demanded a supply of 25,000 men, and promises, with that increase, to compel the enemy to make peace. It appears that the Austrian Government will not send the reinforcements.

‘The pecuniary difficulty, were there no other, would prevent it, for at Vienna they pay 20,000 workmen every day for doing no work, but for the purpose of keeping that part of the population quiet. I informed your Lordship some time ago that Baron Wessenberg told me he had sent full powers to Marshal Radetsky to make an armistice. The Baron ought to have said that he had *sent orders* to the Marshal to propose an armistice. The Marshal has remonstrated against that mode of proceeding, saying that his own position is inexpugnable, and that time must operate greatly and quickly in favour of peace, by the heavy expense which falls upon the Italians, and which is already the cause of much discontent and murmuring.’

This letter bears the very same date with that in which is conveyed the refusal of the Milanese. It appears then that Radetsky had discouraged to the utmost the idea of an armistice for which *orders* had been sent to him ; that he had earnestly demanded reinforcements ; that it was even now doubtful whether he would get them. The scale is trembling. The second extract is dated the very next day.

‘MY LORD,—Prince Felix Schwarzenberg, who received a sharp wound at the late engagement, has been sent here to give an account of the military affairs in Italy. His report shows things in a more favourable light for the Austrians than was expected ; and the minis-

ters here will combine, when they reach Vienna, in three or four days, the measures necessary or fit to be taken under existing circumstances. As it is, 10,000 men *are already on their route* to join Radetsky; and I am informed that 15,000 more can be sent. With the 55,000 men which Radetsky would have upon the junction with him of these 15,000, he is confident in his being able to obtain very great advantages over Charles Albert. I think the Austrians will try their fortune. If their expectations are realised, their condition will, they think, be extremely improved, and peace may be made upon better terms than can now be had; if they fail, they think they shall not even then be much worse as to peace than they would be were it now concluded.'

The scale *has* turned then. The arrival of Radetsky's officer, hot from the field, has resolved the question—the 'ratio ultima' shall decide.

On July 1. there appeared in the Vienna Gazette an important document—an official article, insisting on the attempts the Austrian cabinet had made to obtain peace, more especially their recent proposal to the Provisional Government at Milan, and the manner in which it had been met; and finally declaring the determination of the Government to 'conquer an honourable 'peace by arms,' and appealing to the country and the deputies, whose meeting was expected, for support in that determination. 'It is my duty to add,' writes the Secretary of Legation transmitting this document, 'that I believe this appeal will be 'heartily responded to by the entire country. The greatest 'sympathy exists in the public mind for the army in Italy, and 'a peculiar sensitiveness for the honour of their arms.' It was responded to, at least in a military point of view, for Radetsky received in full the reinforcements he called for.

So much, however, was at stake for the Austrian Government; so possible did it still seem that they might lose all, that we cannot be surprised to find attempts at negotiation, if letters and diplomatic courtesies can be called attempts, still occasionally coming to the surface. Evidently up to the final move of Radetsky there was hardly an hour at which they would not have consented to terms based on the independence of Lombardy and the retention of the Venetian provinces. But up to that very date, the difficulties noted applied, not with less, but perhaps even with more, force against any such arrangement. If there were any, and doubtless there were many, both in Milan and in Turin, who saw the wisdom of a compromise, they shrank from the unpopularity, or perhaps rather the peril, of publicly proposing it. They thus risked and incurred the ruin of the whole cause, because they shrank from the risk of the

accusation of treason. It cannot, however, be said that the risk was unreal; for the Italians, if they had learnt to hate their enemy more, had not yet learnt to appreciate him better. The King, indeed, had learnt this wisdom; and we find that on July 7. he actually addressed a confidential letter to Mr. Abercromby, stating that he personally was willing to accept offers based on the retention by Austria of the line of the Adige. Even this, however, was the personal declaration of the King and not of his Government; and it is clear that he did not venture to make such a proposal publicly, or directly to the Austrians, though he might have been prepared to accept of it if offered by a mediating ally.

Finally the storm came. For some time the Piedmontese army had remained in front of Radetsky, as if unable to advance and unwilling to retire, amid unheeded warnings from its friends. It had continued cautiously inert when rashness had been more prudent than inactivity. ‘It seems scarcely credible,’ says General Pepe, ‘that Charles, instead of perceiving the error of his system of inactivity, in presence of the enemy’s strong fortresses, decided on besieging Mantua; that is to say, on extending his right line, and renouncing all idea of attacking the Austrians, of passing the Adige, and seizing the advantages offered by Venice and the Sardo-Venetian squadron.’*

According to the same authority Charles Albert, in the end of July, had still 80,000 men, including the sick; but that, as the readers of military history know, may amount to a large deduction. Radetsky had by this time gathered his strength, variously stated at from 60,000 to 70,000 men. The enemy were pressing the blockade of Mantua, and were spread in a long line from that place to the heights of Rivoli. Suddenly, on the 22d, ‘in the midst of a dreadful thunderstorm and a deluge of rain, in the darkest night,’ Radetsky broke np from Verona. The weather aided the surprise. He assaulted and stormed with his main force at Somma Campagna the strong central position of the enemy’s lines, which he thus pierced and separated; he assailed them simultaneously on other points and with similar success. One fierce action followed another. Surprised and overmatched, the Piedmontese yet made desperate

* General Pepe seems here to countenance the charge repeatedly made against Charles Albert for not using his fleet to attack Trieste. The reason for not doing so is obvious. An attack on Trieste would have added to the forces of Austria the forces of the German Confederation. (See Parl. Papers, No. II. pp. 621-8.)

efforts to regain the footing which they had lost; but at Custoza, on the 26th, at Valta, on the 26th and 27th, he smote them with blow upon blow. An unsuccessful attempt was made to check him by the proposal of an armistice. The King abandoned the line of the Mincio and retired on Cremona. Radetsky gave him no pause; he followed the beaten, disorganised, and starving Piedmontese close at the heels from the Mincio to the Oglio, from the Oglio to the Adda. In eight days after his move from Verona he was on the Adda; in less than a fortnight he was knocking at the gates of Milan. Charles Albert, so far as we can judge, in no way merited the accusation made against him at the time, and repeated, we regret to say, by M. Mazzini now, of failing the Milanese. He risked an unsuccessful action under the walls, and was ready to venture more for the defence of the city had there been a prospect of success. Perhaps something was possible even then (at the cost, however, of risking the destruction of the city), could such resistance as the relics of his army might offer have been supported by a revival of the desperation of March. Recrimination, however, was easier than combination under reverses which would have shaken a closer union. With the passion of panic as well as of anger, the Milanese were ready to attribute to any cause, rather than the real one, the stunning catastrophe of a distant and victorious war, brought suddenly to their doors in the shape of disastrous defeat, with Radetsky on its heels. On the other side, the Piedmontese, regarding their allies with a juster resentment, were full of angry demands for the supplies which should have been furnished on the Mincio, of scorn for the civic professions which had not been backed by adequate performance in the field, of contemptuous disbelief in the passionate clamour for resistance and barricades, — and were laudably less eager for the time to free Lombardy than to save Piedmont, by placing the Ticino between their broken forces and the victorious Austrians. Unprepared for steady defence, the populace of Milan were yet furious against the idea of being delivered to the Austrians; and it was not without personal risk, amid cries of rage, accusations of treason, and even shots, that Charles Albert departed from his Lombard capital, never to return. The capitulation concluded by him before withdrawal saved the city from attack; and Radetsky entered, unopposed, on the 15th day after his move from Verona. But for the armistice, the month of September would probably have seen him in Turin. If military achievements can justify vanity, the old man might be excused some touch of that weakness. He had accomplished what states-

men had called it insane to contemplate as possible; his single head and heart had given back to Austria the dominion of Lombardy. Whether the gift be for good or for evil, time will show. In any case Radetsky did his duty, as an Austrian, devotedly and well. His alleged severity has been the theme of much obloquy, current in many quarters, on, we believe, sufficiently vague grounds. An Italian cannot love, eannot perhaps but hate, the instrument of so great a ruin; but we are not aware of any authentic statements which entitle us to associate the name of Radetsky with the imputation of atrocity, or to degrade it by coupling it with that of Haynau.

The Republican chief had left Milan before the capitulation, and joined the legion of Garibaldi, which never accepted the armistice. The words in which he records the raising of the one banner in which he trusts are impressive and touching, though founded in error. ‘At Monza, in view of this immense spectacle of a monarchy in flight, and of a people abandoned, in the midst of the brave men of the legion of Garibaldi, who followed Giacomo Medici, a banner—the modest banner of a company—was raised for a few hours, inscribed with these words—“God and the people;” and chosen by the affections of these young men, it was I who bore it. It was the banner of a new life, rising from the ruins of the past; and six months later it shone with a new lustre on the summit of the Capitol, the symbol of our Italian future.’ We do not hope to convert M. Mazzini—yet we cannot but ask, why he is so resolute to see the hope and future of Italy exclusively in a banner which, thus raised, symbolised secession? and still symbolises, for the present at least, strife rather than union?

Here we are compelled to pause. The first act of a great drama closed with the capitulation of Milan: but the passions and forces which have been at work are not yet exhausted. As Bertram, struggling against the spears which pinned him down, ‘Once gained his feet and twice his knee,’ so Italy, struck down on the Mincio, half rises again in a more hopeless and unequal conflict with its ancient enemy at Novara, and with a new invader at Rome.

ART. III.—*A Hand-Book for Travellers in Devon and Cornwall.* London : 1850.

IT is scarcely possible to exaggerate the obligations which society is under to Mr. Murray, for the succession of elegant little volumes by which he has turned the unpromising labours of the guide into a new class of literature. Were we

ever so critically inclined, the remembrance of many happy days spent in eager endeavours to reduce his lessons into practice, — of many an interval of bad weather, or dreary road, beguiled by studying in his pages anticipated pleasures, or conning over the details of sights already seen, — would totally disarm our most malevolent intentions. And who would venture to controvert the grounds of a popularity so established, that not only English but even German and Italian imitators now endeavour to delude the hasty purchaser, by copying the conspicuous coat and shapely figure of these familiar companions? We have, however, the pleasanter task of welcoming the first specimen of what we hope to call a new division of the series. The subject before us does not indeed afford occasion for the exhibition of that high talent which has been lavished on other parts of the collection. There is not room here for the peculiar combination of a knowledge of antiquarian details, with a refined sense of beauty in nature and art, which distinguishes some of the Italian portion; still less for the learning, wit, and originality which have made a classic of the Hand-book for Spain. But enough is done for the reader's purpose, and performed with that spirit and refinement which are required to make the volume a pleasant companion, as well as an useful guide. To readers full of provincial patriotism, we should think its fault lay on the side of compression rather than diffuseness; but the editor has probably exercised a sound judgment in this matter.

Our favourite home tours deserve to be thus placed on fair terms of competition with their more fashionable continental rivals. They have been too much neglected of late years, and we are disposed to think that the tide is turning in their favour. The ‘Beauties of England and Wales’ had at one time become wearisome to the taste of mankind in general, from the exaggerations of the Gilpin and Price school of tourists, who raved of a Derbyshire down or a Westmoreland mere in terms which would have been almost misapplied to Mont Blanc and the Leman, — trembled with horror on the verge of precipices down which a fox-hunter would make little of riding, — and were deafened by the roar of cataracts, to which the judicious turning on, for the visitors’ benefit, of the waters of a mill-pond, had mainly contributed. As soon as the Continent was open, people fled from the persecution of these priests of the picturesque, to enjoy liberty of worship, even in the flats of France and the Netherlands. And there grew up subsequently, while continental travelling still remained a matter of some expense and difficulty, a kind of fashion of valuing all the objects of travel according to their distance. The tourist just returned

from Switzerland looked down with a superior air on the visitor of the Rhine; he who had reached Florence was subdued into silence before him who had sealed Vesuvius; while the few who had actually seen 'the East' were marked men, and excited a kind of envy and ill-will among the herd of holiday wanderers whom their presence reduced to insignificance. We suspect that the extreme facility of modern locomotion is stripping these things of their adventitious importance. There is really no distinction in having measured thousands of miles, pent up with mobs of fellow creatures in steamers, railways, and overgrown inns. The smartest young Oxonian scarcely ventures, in mixed society, to open his budget of stories about the new hotel at Constantinople, or the old guide to Jerusalem, when the odds are that some one of the company is fresh from California or the Trans-Himalayan regions. Consequently, when foreign objects of interest are under discussion, it is less the fashion than formerly to inquire as to their latitude and longitude, and more as to their intrinsic merits, whether of natural or artificial beauty, or historic association. And, tried by these tests, there is no fear but that some of our nearest haunts of pleasure excursion will maintain their character, even against the competition of their most distinguished rivals; and, second to none, the charming district to which this new hand-book introduces us.

The compiler has acted judiciously, for the sake of most of those who will consult him, in allotting by far the greater part of his space to a minute description of the coast scenery of the district. For this is unquestionably its grand attraction to a people of such maritime tastes as ours. And it is here that the visitor from the east encounters, for the first time, the noblest feature of the British landscape in its unalloyed grandeur; transparent waves dashing on their pavement of rocks, as unlike that muddy off-set of the ocean-stream which sweeps along the shores of the Channel and North Sea, as a mountain tarn to a pool in the Fens.

One of the last results of that progress of refinement which induces men to seek for contrast to the habits of cities in the wilderness of nature, is to be found in the conversion of the bare sea beaches, carefully avoided by less advanced populations, into the chosen seats of easy retirement. This has been going on for the last half-century in the South of England, until almost all its shores, from the North Foreland to Berry Head (with the exception of a few miles of rough coast in Dorsetshire), have been turned into a continuous range of pleasure-ground—a great preserve for marine amusements. It is an easy walk, almost all

round, from one watering place to another; and in the intervals the eye rests, nearly at every point, on some snug haunt of pleasure, from the marine villas of royalty and nobility, to the little white cottage *ornée*, lying *perdue* within its grove of tamarisks or other sturdy foliage, cut by the sea-breezes with almost topiary regularity. The population is become about as parkish as the landscape. It seems everywhere to consist of gentlemen in naval costumes; ‘young ladies, with pink parasols;’ showy footmen, such as confounded the ideas of the Baron d’Haussez, on his first approach to the rustic seclusion of a Devonshire village; and well-dressed preventive men: while even the sailors, smugglers, and fishermen appear to have acquired a sort of polish by contact with gentility, and are toned down into keeping with the general Bond Street colouring of the whole. But when Berry Head is passed, the scene changes at once, totally and abruptly, and changes exactly where the first rocks of the slate formation abut on the sea. Thenceforward, as we proceed to the west, the bold outlines and projecting portions of the coast are everywhere craggy, strandless, bleached and bare, —

‘The haunt of auks and mews, and seagulls’ clang.’

After a few miles, too, the coast trends westward, and opens itself to the swell of the main ocean. You cannot ‘lay your hand on the manc’ of the Atlantic, and make him your playfellow, like the fenced waters of the Channel. Population retires inland, to the banks of the sheltered estuaries. Only here and there, under the lee of a cliff or on a convenient beach, a fishing village has nestled itself. In general, the coast scarcely shows more signs of human life than it did to the Phœnicians of old, when they ran along it to and from their problematical Ictis.

At this point, therefore, —namely, Berry Head, — the sands and clays of central Europe cease, and the fringe of rock begins, which thenceforth girdles these islands towards the ocean, and which may be followed round the Land’s End, — into the deep bight of the Severn Sea, — along the western Irish coast, and that of the West Highlands; and, yet farther,

‘Where Orcas howls, his wolfish mountains rounding,’

until it is descried again, in grander dimensions, on the shores of Norway. Nowhere, probably, in the temperate zones, is there so great an uniformity of aspect in soil, products, and climate, over so great a range of latitude, as along the Atlantic from Brittany to Shetland, — that is, for nearly twelve degrees: the same distance which separates Naples from Berlin, Constantinople from Warsaw. The mean temperature of Penzance is

51°; that of Sandwick, in Orkney, 46°. The climate, in fact, is nearly identical. The great expanse of the adjoining sea equalises it in the southern parts, — and farther north the Gulf Stream sweeps towards the coast, and saturates with tepid waters and vapour the shores of Sutherland and the Orkneys. Even in the Hebrid Isles,

‘Placed far amid the melancholy main,’

the general aspect of sea, clouds, and shore seems to the eye but little different from that of Cornwall. The latter enjoys only a somewhat longer, not warmer summer, and consequently a greater variety of the fruits of the earth find time to ripen; but as regards the prevailing flora of the districts, what will thrive near the Land’s End will equally thrive in Skye.

To those who wish to study this class of scenery, where all its ordinary features are displayed within easy reach, in a narrow compass, and in high perfection, we would especially recommend some of the excursions minutely described in this volume; Route 8., along the cliffs of the Start promontory; 13., the North Devon Coast; and 15. and 17., the districts of the Land’s End and Lizard.

But the peculiar and exquisite inland scenery of this region, with less to command admiration, is more calculated to win the affections in the long run than the imposing monotony of cliff and sea. Three fourths of the surface of Devon and Cornwall rest on the slate rock, or on those nearly associated formations which geologists have only recently distinguished from it. The features of ‘grauwacke districts’ have in general a marked resemblance. They are formed, for the most part, of continual hill and valley — the hills not insulated on the one hand, nor forming plateaux and long ridges on the other, but rather like waves of a slightly agitated sea, overspreading the whole surface; their lower declivities generally steeper than the upper, and therefore rocky, and most fitly covered with wood, especially where they face the north; while the higher parts, whether round or ridge-shaped, retain more soil, and are often cultivated to the summit. The valleys are narrow, though not too deep to receive the full influence of the sun; and singularly sinuous. They are not often water-rich, for these districts lack the great peat sponges of the granite wastes, and still more the vast underground receptacles from which the rivers of the limestone tracts gush forth full-grown; but though not large, their streams are exceedingly numerous, and all alike sparkling and pure; every valley has its living current, and the whole country is reticulated with a maze of brooks. Such are the features of the

softer parts of North Wales, much of the Scottish lowlands and border, parts of Brittany, the Limousin, la Vendée, Southern Belgium, and the country stretching thence towards the Rhine. All these are rich in beauty, but in none of them are the peculiar charms of those features so much developed as in the tract now under description.

There is an uniformity, no doubt, in this kind of scenery. Every valley is like its neighbour, and the succession is somewhat tiresome; but what can equal the perfect repose and beauty of each, taken as a home picture by itself? Who that has seen them does not retain in his mind, as a type of rural beauty, the picture of some sequestered Devonshire glen — its stream gushing through narrow meadows of the richest emerald — now turning the wheels of the picturesque old mill — now chafing against a tiny barrier of rock — now sleeping in deep eddies under overhanging groves of oak — its banks bosomed in orchards — its cottages half buried in the luxuriance of the flowering shrubs of their gardens — its precipitous-looking ploughed fields, covering the hill sides at one time with their waving crops, at another with their rich red fallow? ‘The ‘lanes,’ as the Hand-book prettily describes them, ‘are steep ‘and narrow, and bordered by tangled hedges, often thirty feet ‘above the road, sheltering even the hills from the rigour of ‘unfriendly blasts. In the deep shadowy combes the villages ‘lie nestled, with roseate walls of clay and roof of thatch, and ‘seldom far from one of those crystal streams which enliven ‘every valley of this rocky county.’ If the mind of the traveller be in unison with such quiet prospects, he may enjoy them here in endless succession. But he must not be impatient of the leafy screen which generally confines his eye to the close home view. Without it, the scene would lose its peculiar charm; while, were it absent, such is the general conformation of the country, that the observer would seldom gain an extensive view to counterbalance the loss. He must be content with the occasional peep, at some unexpected turn, of the moorland tor, or the stripe of blue sea, which bound the valley in opposite directions. It is a spot for repose, and meditative enjoyment, and ‘dreams that wave before the half-shut eye;’ not for eager admiration and novelty-hunting. According to the deep analogy which subsists between outward nature and human life, it may be said that while one might prefer to live amidst scenery of bolder features and freer character, and suggestive of a wider range of thought, it is to such a nook as this that one would fain retire to die.

It has, we think, been scarcely noticed, how much of the

peculiarities which strike the eye in the aspect of this western country is due to very ancient and remarkable differences between the usages of its rural population and those of the same classes in other parts of our island. Fewer of the inhabitants are collected in villages, more are scattered in small hamlets and single houses, than in most purely agricultural districts. The farther we go west, the more is this distinction apparent. The ‘church town’ in Cornwall (except where a mining or fishing population happens to have been collected) generally consists of a few houses only, under the shelter of the elegant but naked-looking church tower. The tillers of the soil dwell either in the little ‘town-places,’ *i. e.* farms, themselves, or in very small roadside hamlets. The same was the case when Carew wrote his Survey of Cornwall, in the reign of Elizabeth; at which time although the population, in Sir C. Lemon’s opinion, did not exceed 70,000 — he observes that, ‘where the most part of the ‘shire is severed into enclosures, you cannot easily make choice ‘to stand in any one of them above a quarter of a mile distant ‘from a dwelling-house.’ And in both counties the system of enclosures — the division of the whole cultivated land by the high ‘Dannionian’ fence into little polygonal patches — is of the most extreme antiquity. It is very remarkable that throughout these counties there is no trace whatever (so far as we are ourselves aware, but we throw out the subject for examination) of common or parish fields. Unclosed commons, of course, are abundant, and have been far more so. From the top of Cawsand beacon, long regarded as the highest ground in Devonshire, the eye falls at once on a large tract of bare-looking fields, where the outlines of the fences are even straighter and more angular than in the rest of the vast patchwork in which they are inserted. These are the enclosures round Sandford Courtenay, which occasioned the rebellion of 1549; when ‘William Underhill, a tailor, and Segar, a labourer,’ logically connecting the two grievances of Protestantism and the conversion of pasture land into arable (as Cobbett did after them), raised their fellow parishioners and the neighbourhood, compelled the parson to read mass, and, backed by 10,000 men, demanded that the Six Articles should be enforced, and the Latin service restored, ‘that Dr. Moreman and Dr. Crispin may have livings given them;’ and that ‘no gentleman may have any more servants than one to wait upon him, except he may dispend one hundred marks by the year;’ — demands which ended in a siege of Exeter, a battle on Clist Heath, and the ultimate hanging of a mayor of Bodmin. But such enclosures were all gained from land which was waste, or used as rough pasture only. Now

arable cultivation in common, as it may be called, the ‘parish ‘field’ system, was a marked feature in old English rural economy, even within the memory of man. A gentleman lately deceased informed us that he remembered when one might ride from Bury St. Edmund’s to Leicester across parish fields the whole way. Only a few miles on this side of Devonshire, ‘Fordington ‘Field,’ which surrounds the ancient town of Dorchester, exhibits at this day one of the finest of the few remaining specimens of the open fields of our ancestors. Yet, within the district now in question, the practice seems, as we have said, never to have penetrated.

What causes produced this difference of habit between the Daumonian race and the eastern population, and prevented the latter from introducing their own? The Celts, say some authorities, have ever exhibited a tendency to the solitary, patriarchal, or ‘Cyclopean’ mode of life;—love of aggregation, union for common purposes, municipal organisation, are characteristics of Saxondom. Thus, they would add, the Saxon Fole-land, or *Ager Publicus*, of which the history is so ably traced by Mr. Kemble, was wholly unknown to the ‘Welsh kind,’ who are supposed to have inhabited Devon long after it became part of the kingdom of Wessex. It may be so; but we shall state our reasons presently for doubting the prolonged prevalence of the ‘Welsh kind’ in Devonshire altogether. And, for our own parts, we have always rather pleased ourselves with the fancy, if such it be, that the Daumonian agriculture descends to us from times anterior to the quarrels of Celt and Saxon,—from some earlier and more peaceful era, when the necessity for living in defensible villages, and returning to fenced security at night from labour in the fields by day, had not yet arisen. Certainly the scattered homesteads of Devon, sprinkled singly over her hill sides, and each sheltered only by its own ‘verdurous ‘wall,’ do not look like the habitations of a warlike race. It is difficult to imagine how Berserkar, and Sea kings, and Fist-right, and tenure by military service, and the other institutions which made life glorious and uncomfortable in days of old, could have been known, except as nursery stories or legal fictions, in these quiet wildernesses. A single Harold the Danutless, or Reginald Front de Boeuf, might have harried half the county in a week. ‘I consider,’ saith enthusiastic Mr. Polwhele, ‘that the ‘south of Devon was actually colonised while the rest of the ‘island was yet a desert, and even the opposite continent of ‘Gaul, and the greater part of Europe, were uninhabited.’ Nay, many western antiquaries connect this belief with the notion that the limits of this Arcadia were far wider even in historical

ages than now, and comprised a vast tract of submerged country, that ‘sweet land of Lionesse,’ which Spenser judiciously places near the confines of the realm of Faery, but of which the peasant of the Land’s End still loves to dream, as he gazes on the billowy expanse bounded by the distant outlines of Scilly.*

These are fancies. But other collateral evidence may be given of the great antiquity of the present outlines of cultivation in this region, compared with other extremities of the island. Devonshire and Cornwall still contain great unreclaimed wastes; so does the north of England. But in the latter district the parishes, or townships, are mostly very extensive. Each single one comprises a great acreage, not only in the wastes, but in land now reclaimed and populous adjacent to the wastes. Evidently, therefore, there has been a great change since the division of that country into parishes. Much of what was then waste land, and therefore divided into large ecclesiastical districts, has long ago become densely inhabited. In the west of England no such change has taken place. The parishes are numerous and small, showing ancient cultivation every where, except in those tracts which are still uncultivated. Wherever these occur the parishes are very large. Dartmoor Proper, fifteen miles across, is all in the parish of Lidford; that of Alernum, in Cornwall, and some others, are also very extensive. In this country, therefore, there has been no important extension of cultivation—nothing beyond the gradual reclaiming of parcels of common—since the division into parishes. What was cultivated then is so now, and the desert of those days is still desert. This gives us a point—and one of great and unknown antiquity—since which we may safely affirm that this region has remained continually a cultured and civilised country. Above it, speculation may wander at will, to the days of Theonantius, last Duke of Danmonium, Anno Mundi 3946, and as far higher as her wings can soar.

Of course it is not meant that much has not been added on the whole to the productive extent of land in later times, but that the operation has been partial only; no large districts have been reclaimed. The progress of improvement has varied in different districts; has been greater in the rocky and lighter soils of the south and east, less in the clay districts of northern and central Devon,—the favourite fields of early agriculture. And this has brought about, unquestionably, a great change

* ‘Fishermen, also,’ says Master Carew, with quiet assurance, ‘casting their nets thereabouts, have drawn up pieces of doors and windows.’

in the relative importance and population of different portions of the country. The reader, with a good map before him, especially a geological map, will distinguish at once a large tract, occupying north-west Devon, and north-eastern Cornwall, and bounded to the south by a singularly defined line of highland, which stretches west full sixty miles from the bridge at Exeter to the high cliffs of Boscastle; continuous, except where broken through by the Tamar. This line coincides with that of the elevation of the harder slate formation to the south above the clayey rocks of the so-called 'carbonaceous' series, though unhappily destitute of the important member from which the series derives its name. The district in question, north of this line and west of Exe, comprising 150 or 200 parishes, is probably one of the most primitive and unaltered portions of the kingdom. It is traversed by no main roads or navigable waters, has not even dreamt of railways, except in the visionary year 1846, has very few resident gentry, though the case was far otherwise formerly, and few large farms. The picturesque tourist is startled by its ugly features on his way to the fancied Arcadia which he is come to visit. Its climate is damp, its soil clay, its people penurious and uncleanly. Here linger yet the old Danmonian customs and superstitions. If there be yet any specimen of the Pixy, or Devonshire variety of the fairy, extant,—if cattle are still lamed, and children crippled, by 'ill wishes,'—if ghosts walk, and men doomed to die 'hail their own names,'—it is here, and not in the vales of fashionable south Devon. Here too subsist the usages of the old rural house-holding, a system which combined domestic with field servitude, together with its peculiar feature of farm apprenticeship,—a system which had its good no doubt, but the remnants of which exhibit also much of evil,—traits of promiscuous and almost uncivilised modes of living, with occasional glimpses of strange abuses and even cruelties, such as are now and then revealed by the invaluable light which the newspaper press has thrown of late years on the neglected portions of our social economy. But, like the Weald of Kent and Sussex, which in many of its features it much resembles, this region was once of far greater importance, relatively speaking, than now,—was not only inhabited by a sturdy race of yeomen proprietors, but was traversed by various lines of communication, and had a good deal of commercial intercourse. Whether it be absolutely true or not that

‘ Crediton was a market town
When Exeter was a furzy down,’

it is certain that Crediton preceeded Exeter as the ecclesiastical

capital of the west,—a pretty sure sign of the comparative consequence of the contiguous portion of the country.

And this circumstance — the altered course of commerce and population — explains some things which at first sight strangely puzzle the provincial antiquary, whenever he happens to think for himself on subjects where he receives no assistance whatever from his erudite predecessors; who, lost in clouds of Phœnician and Druidical controversy, passed without any observation at all over difficulties which perplex men with their eyes open. King Arthur is commonly said to have been born at Tintagel, the royal seat of his father, Uther Pendragon (not Gorlois, as the compiler of the ‘Hand-book’ asserts, in a happy ignorance of the scandalous chronicles of the Round Table, which we do not intend to enlighten). King Arthur and his father may or may not be mythical personages; but Tintagel at all events is a great fact, and was an inhabited castle, of huge dimensions, in the time of Richard, Earl of Cornwall: it continued a state prison, says the ‘Hand-book,’ down to the reign of Elizabeth. How came so considerable an edifice to be raised in a corner of Cornwall now so remote and unvisited (except by pilgrims to its remains), with little commerce or agriculture, far from all great roads, and on the border of a district proverbial for barrenness? Mere considerations of security will not account for this; for, grand as the position unquestionably is, the whole coast bristles with points almost as defensible, and commanding neighbourhoods of much more importance. Again, tradition speaks of two great battles of the races, Celt and Saxon; one that in which Arthur was slain,—

‘As though no other place on Britaine’s spacious earth
Were worthy of his death, but where he had his birth;’ —

one in the reign of Egbert; as having been fought near the same spot, at Camelford. How came the nations to meet twice ‘to feed the crow,’ in an outlying quarter, which ‘now, far from being on any probable military line of march, is out of the ordinary traveller’s way altogether?’ The answer to these questions seems to be, that Tintagel stands precisely at the western extremity of that long line of natural boundary which we have above pointed out, as separating, in ancient times, the more cultivated north from the rougher west; and at the point where the ancient line of communication, both military and commercial, now almost disused, connected North Devon-and-Cornwall, a district of Saxon England, with the real Celtic peninsula.

This ordinary road seems, indeed, still to have followed the northern coast in ages long subsequent to those primitive times

of which we have been speaking. For the central line, the 'old' Falmouth road of modern times, passed over wastes, in which there are now no villages and were then no inns,—' neither 'horse meat, nor man's meat, nor a chair to sit down.' Communication along the south coast was limited by the difficult nature of the country, 'consisting wholly upon passes' (to borrow the bad English of one of Essex's plaintive despatches to Parliament, when he had rashly adventured into it, and the Cornishmen had enclosed his army, as 'in a seine net, between Lostwithiel and the sea); and by the many estuaries and ferries. In 1642 the Royalists and Roundheads engaged in battle at Stratton; no trifling engagement, for one-third of the victorious army lay stretched on the sides of 'Stamford Hill,' so called from the defeated general, before they could reach the entrenchment which crowns it. Stratton is situated at the extreme northern angle of Cornwall, in a country now so stationary that the green hill, the camp, and the little town, seem as unchanged as if the fight had been foughten last year. But the reader of the history of those times is at a loss to think why the two armies should have retired into so sequestered a corner to fight out their quarrel, as if, like duellists, they wanted to get out of the way of the civil power. But the truth seems to be that Stratton — named from the old Roman way — still commanded, in 1642, the most frequented road into Cornwall, and that its neighbourhood rejoiced, relatively at all events, in much more gentility, population, and traffic than now.

A few miles from the same town there is a lonely green valley, opening on the sea by a woody defile. On one of its higher slopes the visitor may still trace the foundations of an extensive house and adjoining terraces: this was once Stowe, the famous seat of the Grenvilles, the western predecessor of the more famous Stowe of Buckinghamshire: a grand Italian mansion, built by John Grenville, Earl of Bath. Here some of the Restoration intrigues were carried on between that personage and Nicholas Monk, brother of the general, who was rector of the parish. Here the Carterets, and after them the Thynnes, collected the polite society of the time; and Hervey meditated among the tombs in the neighbouring churchyard. The house has been destroyed for many a generation, and the solitary neighbourhood is grown so unfamiliar with lords and statesmen, that we can remember the throng of country folk to look at Lord John Russell, when that minister paid a visit, some years ago, to the little watering place at Bude, and their surprise at the moderate proportions of the figure which filled, metaphorically, so large a space in the world. We are so accustomed, at

this day, from long and general observation, to regard progress in civilisation as the law of society, that when we fall in with the rare exception of a community of neighbourhood which, in some respects, has actually decayed, the impression produced seems not only unpleasant, but startling and unnatural, as in reading the history of the decline and fall of an empire.

If the reader will forgive this idle digression into modern frivolities, and, returning with us to abstruser speculations, will recollect the remarkable line of hill which we pointed out as separating the northern section of the peninsula west of Exe from the remainder, he will find, on farther examination, that it constitutes a demarcation not only interesting to the antiquary, but really important in ethnographical study; for the western half of that line, from the Tamar to the sea near Tintagel, forms the real boundary between the Saxon and Celtic populations, as evidenced, not by idle conjecture, but by the safest test we can possess,—that afforded by the names of places.

For the common notion that the Tamar itself forms, or ever formed, this boundary, is altogether erroneous. This is a point on which chronicles are of little value, and learned hypotheses of less, against the testimony of language. Every name of village or farm on either bank of the Tamar is English, from its source to where it meets the tide. The inhabitants of both banks have therefore assuredly been English ever since these names were imposed. In point of fact, no river ever was a permanent boundary between two races. Do not let the reader take alarm at the generality of this statement, but let him consult his memory to find, if he can, a single instance against us. Rivers have often formed the limits between States, but between nations and languages never. And the reason is obvious. When men establish themselves, either as the first inhabitants of a district or by expelling its former occupants, they naturally settle in the first instance along the watercourses. They occupy both banks of streams, not only as affording the most fertile and available land, but also often the easiest mode of communication. Those whom they esteem strangers are not their neighbours, to whom they can call across the water, but the dwellers in the next valley, separated by tracts of forest or barren hill:

ἐπειδὴ μαλὰ πολλά μέταξυ ὄντεα γε σκιύεντα.

The watersheds, therefore, not the rivers, will be found almost uniformly to constitute the demarcations of an accurate ethnographical map.

Judging by this test of the names of places, the division between the Celt and Englishman, beginning opposite Plymouth,

runs rather irregularly for some distance among the hills west of the Tamar; but when the neighbourhood of Launceston is reached, it proceeds in a remarkably well-defined line, nearly west, to the sea near Tintagel. North of this line we shall find scarcely a single Cornish name of village, hamlet, or farm; south-west of it, the Saxon names are in a very small minority indeed. This boundary is as distinctly traceable on the map as that, for instance, between the French and German tongues in Switzerland and Lorraine. And it coincides pretty exactly with the barrier of stony and heathly hills, which we have already noticed as forming so remarkable a natural feature, and marking the line of elevation of the older and harder slates above the strata of the carboniferous series.

The inference is plain. The Celts of Cornwall, the remnant of the old Lloegrian race, were driven at some very early period out of all the fertile districts into the rocky and barren edges of the land, where the Saxons did not care to follow them. They became a feeble people, having their dwelling in the rocks. Their language, if not their blood, must have then become extinct, except within the very narrow limits of the farther peninsula; for we may safely lay it down as a canon in this kind of investigation, that when the name of every homestead became Saxon, the inhabitants were Saxon or Saxonised also. To prevent cavils, we will merely observe that we do not mean by this that the roots of many local names in Devon and East Cornwall may not be Celtic; but so are many all over England; the question is not as to their roots, but their present form. It is sufficient for our purpose that, tried by this the only reasonable test, Devonshire is in reality as Saxon a county as Sussex.

But when did the struggle terminate which ended in establishing this frontier, and made thereby the last and permanent settlement between Celt and Saxon? This is an inquiry which craves at once very cautious proceeding and very resolute scepticism; because the student will derive no help whatever from historians or antiquaries. All alike — down to the learned Lappenberg inclusive — content themselves with a received and superficial account, which will not stand the first attacks of criticism; while they pass, *siccis pedibus*, over difficulties and contradictions wholly inexplicable.* They build almost entirely on one or two

* We ought to make an exception in favour of Borlase, who, notwithstanding his Celtic predilections, distinctly points out in his ‘Antiquities of Cornwall’ that Devonshire must have been Saxonised before A.D. 824.

scattered passages of chroniclers, and comment on them without any endeavour to correct them by a comparison with other evidence, such as maps and an inspection of the country will afford.

The ordinary account is,—that, after many vicissitudes of conquest and defeat, the Britons were still masters of the south-western shires in the reign of Athelstane (A.D. 934). It is added that Athelstane himself defeated and drove them across the Tamar, expelling them from Exeter, where they were established on terms of equality with the Saxons; but that long after his time the ‘Welsh kind’ continued to inhabit Devon, though as subjects to the Saxon kings. (See, particularly, Lappenberg’s account of these transactions.)

Now, that the division which we have described — we fear with too much detail — between the Saxon and Celtic population, was established as early as the reign of Edward the Confessor, is certain; for the local nomenclature in Domesday Book is the same, or nearly so, as now. It was established before the formation of counties, for it coincides at no single point with the division between Cornwall and Devon; before that of parishes, for all the names of parishes, like other names, are Saxon on one side of it, Cornish on the other. It seems, therefore, impossible that it can have been first drawn in the reign of Athelstane, only a century before Domesday Book. Besides, to make good this supposition, we must believe that this monarch, in the course of a very few years, not only conquered, but extirpated the British from great part of Devon and Cornwall, and settled Saxons in their place. A supposition eminently contrary to probabilities; for the era of migration and movements of races was then long over; the Saxons, so far from being a colonising people, were a declining one, maintaining their ground with difficulty against the Northmen: and, lastly, history has no traces of such a proceeding, speaking only of the victories of Athelstane, not of his colonising operations. The most reasonable hypothesis seems to be, that in the reigns preceding that of Athelstane, the Cornish Britons, with the very powerful help of the Danes, had succeeded in acquiring a temporary ascendancy as far as the Exe, over a country of which they had long ceased to be the settled inhabitants; and that the victories of Athelstane did no more than re-establish Saxon supremacy over Saxon provinces.

But this throws back the epoch of which we are in search to a very indefinite period. We may date this final partition from the conquests of Egbert, or of Ina, or, still earlier, from the beginning of the seventh century, — a time distinguished by

great vicissitudes of war in this part of the island (the battle of Bampton, about A.D. 620, may serve as an arbitrary date). But all this is conjecture; although to our minds the earlier period seems perhaps the most probable. And we are thus brought back, unavoidably, to the great problem of early English history;—one which meets us at every step, and which some of our antiquaries evade, others seem unconscious of, and hardly any attempt to elucidate. The conquest of England by the Saxons must have been completed within 150 years; a conquest so absolute, that the use of the British language must have wholly ceased — judging by its extirpation from the local nomenclature, and by the entire absence of all other monuments of its existence — everywhere, except within certain narrow limits at the extremities of the island. And yet those limits, once fixed, have remained from that day to this — there has been no farther removal of landmarks — no relative change between English kind and Welsh kind during twelve centuries.

What was the nature of this great and violent revolution, begun and concluded within three or four generations? Did the Saxons extirpate the Britons? This was the ordinary theory when Hume wrote, and rests on grounds not easily controverted. Mr. Laing the traveller, however, has lately been in ‘Angeln’ himself, and declares for the negative (in the last series of his ‘Notes’) with all his usual decision. Mr. Laing is a writer who thinks for himself, and always expresses his thoughts shrewdly, if not convincingly; one, moreover, who journeys over Europe with his eyes open, although usually (like Reginald Dalton’s Scotch fellow traveller) ‘reviling all things, despising all things, and puffing himself up with all things.’ He affirms, with the authority of an eye-witness, that to imagine the colonisation of this large island by the people of so insignificant a canton is an absurdity. Even thus may some future Yankee ethnographer, fresh from a visit to little Old England, reject with contempt the myth which derives the population of the vast North American continent from such a nook as this. But, although Mr. Laing’s dogmatism is singularly provocative of contradiction, we will not quarrel with him when we believe him to be in the right. Without entering at length into reasons — our own would probably be familiar to most historical students, and are not Mr. Laing’s — we think the ‘extirpation’ theory an improbable one.

Or did the Saxons and their associates find a Teutonic population already settled in England, with which they amalgamated? This is a convenient supposition: but it is wholly unsupported by records, and contrary to the general indications of history.

Surely there is not, after all, any real evidence that the British Belgæ were of Teutonic origin, and every presumption is to the contrary: while the Frisians and Saxons, who settled from time to time on the coasts of England before the invasion of Hengist, founded, in all probability, no permanent settlements there, since no tradition represents them as inviting or aiding the invaders.

Or, lastly, did the conquered Britons abandon their own language, and adopt that of the conquering minority? This hypothesis, though perhaps the most probable of the three, is open, nevertheless, to some serious difficulties. It is opposed to the received canon, which rests on strong historical foundation, that, as a general rule, the conquerors, if in comparatively small numbers, have been found to adopt in time the language of their subjects, as in the instances of the Franks, the Lombards, Normans, and many more. Secondly, those who adopt this solution of the difficulty have to account for the singular circumstance that while the great bulk of the British nation thus readily submitted to what is generally the last condition of servitude — the utter loss of nationality, — the slender and feeble remnants of it which were driven into the Welsh and Cornish mountains continued for so many centuries most obstinately to maintain theirs. They have, in short, to reconcile a very unusual facility of submission in the mass with a singular tenacity and force of resistance to foreign influence in certain excepted cases.

And here we must leave this great question, with only one additional remark: that it recurs in a very similar case, on still vaster dimensions, on the opposite continent. We allude to the disappearance of the ancient Celtic languages, within a few centuries after the Roman conquest, in Spain and in Gaul. Here there can be no ambiguity in the conditions of the problem. No one imagines that the Romans peopled Spain and Gaul, or that they met with any kindred race and language among the nations which they found there. And yet Spain and Gaul became absolutely Roman in language, and that in no long lapse of time. The Romans, therefore, did actually succeed in imposing their own language, although an infinitely small minority, on numerous and warlike races; insomuch that not a trace of that which it superseded remained, except in the roots of a few local names. And here, again, as in the case of our island, this great leading fact has to be reconciled with the extreme pertinacity of one or two insulated families in maintaining their dialects, such as the Armoricans and the Basques.

All that can be said, therefore, is, that in this continental

instance the Celtic races showed a very singular promptitude in doing what is contrary to all received ethnographical rule,—namely, exchanging their own dialect for that of a small number of Roman settlers; and their kindred in Britain may have been equally ready to adopt that of the Saxons. This is the analogy which Sir F. Palgrave presses so closely, and to our minds convincingly, in the first chapter of his ‘Rise and Progress of the English Commonwealth.’

That the Cornishmen, on the other hand, retained their language for many centuries is, of course, indisputable: we possess evidence which abundantly shows that it was spoken in the reign of Elizabeth, and even later; although it is singular, under these circumstances, that so very few written relics of the language itself remain, and those liable to so much suspicion. We have not space, however, to reopen the controversy as to the ‘Miracle Plays;’ and will only note, in passing, that a slight tendency to mystification has been observed in the Cornish, not less than in the ‘Ossianic highland,’ national character. But we suspect, for this and other reasons, that its use was confined to the least informed classes, in the remotest districts, for many ages before its disappearance. It cannot be denied, even by the most patriotic antiquary among the descendants of King Arthur, that at an early period the whole land of the county seems to have passed out of Cornish hands. The names of the land-owners in the reign of Edward the Confessor, as recorded in ‘Domesday,’ are almost exclusively Saxon. And there is, we conceive, hardly a Cornish family now existing which derives its possessions by intermarriage from the Dinhams, Mohuns, Blanchinstoners, and the rest of the short-lived Norman aristocracy, who parcelled it out between them after the Conquest. The modern county families of Lloegrian origin,—the Tres, Pols, and Pens,—whatever the pretensions of their venerable Celtic lineage may be, have all risen into consequence in comparatively modern times, and in the ordinary course of events; thriving on commercial or mining industry, on the spoils of religious foundations, or the parings of the ‘Duchy.’

A strong proof that English became the prevalent language in Cornwall earlier than is commonly supposed, is also to be found in the fact that so many Cornish provincial words and phrases are obsolete English,—so very few fairly traceable to Celtic descent. Our Hand-book, indeed, says that ‘many words of the old language linger in the mines, or may be heard among the fishermen and country people.’ But it shows the careless manner in which even well-informed writers are apt to treat etymological details, that of three instances

which the Hand-book gives in support of this proposition, two are clearly Teutonic: —

‘1. To get under the lee of a hedge.’

This is only the nautical phrase ‘under the lee;’ Gothic, ‘lee,’ ‘locus tempestibus subductus,’ (Irc): Devonice, ‘a *lew* place.’ Probably connected with the German ‘*luu*,’ tepid, lukewarm.

‘2. To tinc (light) a fire.’

This is good Scottish. ‘To teind, to kindle,’ (Jameson): Ang. Sax. ‘tendan:’ Germ. ‘Zünden,’ whence ‘tinder.’

The almost entire disappearance of what remained of the Cornish language within a few generations after the general introduction of printing, may be ascribed, we think, to the shrewd good sense of the people, their commercial character and employments, and the absence of Eisteddvods and other dilettante contrivances for keeping above ground the ghosts of defunct nationalities. Its decline was a rapid one. According to the well-known story, which the Hand-book does not fail to quote, Dol Pentreath, the ‘last old woman,’ talked Cornish to Daines Barrington, at Penzance, towards the end of the last century; but it is the general notion in those parts that she played a trick on the eminent A. S. S.; and her Cornish epitaph, regularly transcribed by one local historian from another, is a mere invention of some wits of Mount’s Bay.

In thus assuming the disappearance of the language, however, we are aware that we have one distinguished authority against us. In 1844 Dr. Karl Gustaf Carus, Leibarzt S. M. des Königs von Sachsen, und Geheimer Medizinalrath, posted in a carriage and four over Cornwall, in the suite of his royal patient. On his return the Doctor published his tour in England; from the Cornish chapter of which we learn, among other things, that between Launceston and Oakhampton, ‘the human race is ugly. Hercabouts women are often seen riding on horseback: ‘and here’ (adds the Doctor), ‘one already hears Gaelic spoken!’ We felt our convictions at first a little shaken by this assertion of so illustrious a stranger; but finding that the same philosopher had discovered that ‘evergreen oaks’ were a characteristic feature of vegetation in Cornwall, and had noticed large beds of modern limestone near the Land’s End, we conceived a suspicion that his knowledge of our language might be on a par with his accuracy of observation of natural phenomena.

The men of Cornwall may, however, find consolation for the decay of their national language and characteristics, and the im-

perfect manner in which, unlike their Welsh brethren, they have preserved their connexion with the legendary past. No combination could have produced a race more calculated to fulfil the highest purposes of civilisation, than the mixture of the old Celtic blood with the Teutonic infusion so largely introduced by commerce and mining industry. We do not refer only to the number of remarkable men in most lines of eminence whom this little district has produced. There is far more to admire in the general character of the inhabitants; but much which it requires close personal familiarity to appreciate. This alone will enable the observer to discern, under a rough and unprepossessing exterior, the union of daring enterprise with the love of order, frugality, and self-restraint, which prevails to a great extent among them. Trained from youth in employments requiring much mental exertion, and dependent for subsistence, not on mere wages or the mere produce of a narrow parcel of soil, but on branches of active industry where he himself shares in the responsibilities, profit, and loss; acquiring by daily practice habits at once of the boldest speculation and the most minute and calculating forethought,—the miner, fisherman, or small tradesman of West Cornwall not only exhibits powers not often developed elsewhere in his rank of life, but influences also, by his example, the general tone of feeling among the labouring classes. Education is abundant, crime unusually rare; although it must be acknowledged that such crimes as do occur borrow too often a darker hue from that uneradicated disposition to violence which lurks in the Celtic character. Whether or not we sympathise with the particular religious spirit introduced in these quarters by the teaching of Wesley, and sedulously maintained by his disciples, no one can deny the deep influence it exercises over the lives, as well as the sentiments, of great numbers of the people*; the strength it lends to their courage and enthusiasm; the severity it imparts to their moral principles. Their fishermen range the whole coast of the South of England, and have turned the seas of Ireland, neglected by its inhabitants, into preserves of their own; their miners disinter the hidden wealth of Brazil and Australia. And yet the peace of this populous district, swarming with men of so adventurous a race, whose employments are peculiarly liable to those extreme fluctuations which try, above all things, the temper and judg-

* In the very characteristic Life of Samuel Drew,—shoemaker and metaphysician of St. Austell,—Cornwall is said to have been called by some ‘West Barbary,’ before the coming of Wesley among its people.

ment of the operative, is maintained by a detachment of thirty soldiers at Falmouth. No partiality for old world investigations, no distrust of the self-opinion of modern times, will tempt us to affirm that the history of former ages affords anything comparable to the phenomena of an existing society such as this — the last achievement of political progress.

ART. IV. — *The Odes and Epodes of Horace.* Translated literally and rhythmically. By W. SEWELL, B.D. London: 1850.

We certainly did not expect that we should be returning to Horace so soon. Still, if we could, by a miracle, have anticipated our present task in our last number, the blessing would have been but a mixed one at best. Our readers at least would have hardly thanked us for diverting their attention from the life of the Augustan poet by a notice of a bad translation of his most graceful works: and now we are recalled, not by the various misadventures of rash translators of the untranslatable, from Francis to Mr. Whyte Melville,—late of the Coldstream Guards, and an old Etonian,—but by the special ease of Mr. Sewell.

Those who intend to follow us may naturally desire to know who Mr. Sewell is, and what are our reasons for singling him out on this occasion. Officially, as his title-page informs us, he is Fellow and Sub-Rector (Vice-Principal)—Tutor also, we believe—of Exeter College, one of the largest in Oxford; and he is known to have a very considerable share in controlling the destinies of that establishment. He has further signalised himself in the academical world as an effective writer, as far as mere style goes, on a great variety of subjects; a defender of cathedral and collegiate foundations; a preacher of sermons designed to supply a basis of Anglo-Catholic unity; a Professor of Moral Philosophy, deciding questions about the formation of the earth by a reference to the fire and water of baptism, and finding parallels for Plato's Ideas in the Ten Commandments, the Lord's Prayer, and the Creeds. To the general public he has appealed by a Condition-of-England novel, ranging in the sweep of its attack from conservative politicians to manufacturers, from evangelical divines to Jesuits, the latter of whom he scents everywhere, like Nicolai on the Blocksberg, with the sagacity of a true Philistine. The more select ranks of the religious community have lately been listening to his Whitehall sermons on the character of Pilate — with what feelings we need not

say. But it is with scholastic and educational subjects that he has chiefly busied himself, at least of late years. ‘A nation’s hope is centred in the young;’ and to the young accordingly he has for some time past been giving his best attention. Besides various attempts, on a sufficiently ambitious scale, in the practical department of education, which, though not undeserving of animadversion, are foreign to our present purpose, he has taken in hand the regeneration of its literature. He is not only a moral and political philosopher, a divine, and a novelist, but a classical scholar and a patron of classical knowledge. ‘To preserve our higher systems of education from the influx of great corruptions in the shape of modern languages, modern history, and modern science, so called,’ is one of the declared objects of his labours. The means by which he endeavours to compass an end so laudable are, as might be expected from a mind of such versatility, somewhat various. Those who wish to appreciate them fully may consult with advantage a series of anti-Commission pamphlets now publishing in Oxford, in which motives are imputed and domestic relations assailed with an enviable unscrupulousness, well worthy of an admirer of the moral teaching of the Aristophanic comedy. Of his more direct and positive contributions to the good cause, the work before us is a specimen — not so remarkable perhaps as its immediate predecessor, the *Ayamemnon* of Aeschylus, about which we recently had occasion to say a few words; but still eminently interesting as exemplifying practically what is meant by ‘a return to a sounder mode of studying classical literature.’

It is right, however, that Mr. Sewell should be allowed to explain the precise object of his book. He intends it not as a translation in the ordinary sense of the term — to convey some notion of the original to the uninitiated — but as a sample of construing, at once literal and rhythmical, for schools and college lecture rooms. Literal translation he declares to be indispensable, though he fears that it is becoming one of the lost arts. Rhythm he thinks necessary as a support to poetical language. He further defends the employment of rhyme on both intellectual and moral grounds, — as creating a greater command and truer appreciation of poetical phraseology, and as a wholesome substitute for day dreams. This is his plea, and, of course, he is entitled to the benefit of it. Even if we thought his object a bad one, — which is far from being the case, — we should still propose to measure him by his success in it, not by any other test. He comes before us as a college tutor, and as a college tutor let him be judged.

If there is one thing more than another on which Mr. Sewell

lays stress, it is poetical phraseology. Accurate scholarship, without this, he says, ‘must destroy all the charm which ought ‘to attend the study of great authors, prevent all improvement ‘in English while we are studying Latin and Greek, and corrupt ‘instead of refining the taste of the young.’ He becomes quite pathetic as he speaks of ‘the sad effects which grow from accus-‘toming a boy to view the great models of classical poetry through ‘the medium of his own bare prosaic translation, and of allowing ‘him to travestie them in bad English.’ It is to remedy this that he has made his own translations, which ‘he has hoped ‘might be useful to other masters.’ We turn from the preface to the work itself, and find an abundance of construing which is certainly poetical, so far as it is not prose, but in no other sense. What is to be said of a man who recommends to school-masters and tutors such renderings as these, occurring in the very first ode?

- ‘ nice-weathered,
With wheels all glowing hot, the goal.’
- ‘ One heart it pleaseth, if there sight
The turmoil of the Quirites light,
To throne him high with triple pair
Of honours.’
- ‘ One who delights his father’s farms
With hoe to cleave, no, not on terms
Of Attalus’s wealth, wouldest thou
Divert aside.’
- ‘ But if my name thou dost emscroll
Midst minstrels of a lyric soul,
Strike with high crest shall I the planets of the pole.’

We could easily fill our pages with samples of the same kind. *Uxorius amnis* is translated, ‘he, spouse-fond river;’ *laudes deterere*, ‘to deteriorate the lauds;’ *grata prætervitas*, ‘her graceful hoyden air;’ *digne puer meliore flammâ*, ‘thou lad, De-‘serving a better amour to have had;’ *parcus Deorum cultor*, ‘I but a votary poor of heaven;’ *insanientis sapientiae consultus erro*, ‘of a wild philosophy I stray professor;’ *contaminato cum grege turpium morbo virorum*, ‘she with her filthy cunuch’d crew ‘Of men with ailments foul to view;’ *niveo colore movit Achillem*, ‘with snowy tint bewitched the Rampant Achilles;’ *placens uxor*, ‘charmful spouse;’ *Liber* (the name of Bacchus), ‘thou fran-‘chised boy;’ *toga*, ‘toged attire;’ *si per invisum mora janitorem fiat, abito*, ‘if any hindrance through the porter rough And loath’d occur, do thou walk off;’ *fumosis laboribus*, ‘thy ‘scandalous labour’d tricks;’ *cinge comas*, ‘belt thou my locks;’ *vitreo daturas nomina ponto*, ‘ready to give titles To the glass’d

'ocean ;' *operosa parvus carmina fingo*, 'petty songster, mould
 'my Verses elab'rate ;' *utcunque fortis exsilis puerpera*, 'when-
 'ever as a stout Parturient thou art sallying out.' They must
 speak for themselves.

Perhaps, however, Mr. Sewell's admirers may complain that he is not allowed to exhibit himself at greater length. To meet their objections, we will quote two odes *in extenso* — the one grave, the other gay : —

BOOK II. ODE 10. *Rectius vives.*

' You will live more aright, my Licinius, by neither
 Full sail stretching out to the deep evermore,
 Nor while heedful you shudder at stornis [and foul weather],
 By crowding too close on the perilous shore.
Whoever is fond of the golden mediety,
Secure is he free from the scum of a den,
Out of fashion and slovenly — free in sobriety
From a mansion but formed to be envied of men.
 Far often the pine-tree gigantic is dashing
 To and fro with the tempests : and turrets of height
 Tumble down to the earth with a heavier crashing,
 And the crests of the mountains the thunderbolts smite.
 It hopes amidst evil — it fears amidst good,
 For an altered condition — the well-seasoned heart :
 It is Jove who the winters, grim-visaged [and rude],
 Brings back — he the same who doth bid them depart.
Not if fortune is now in ill plight, doth it follow
She will be so hereafter alike : there's an hour,
 When the muse sitting silent, with harp-string Apollo
 Doth waken, nor straineth his bow evermore.
 In distresses approve thee *a metillesome soul*
 And brave. 'Thou wilt wisely, *the very same man*,
 When the wind on thy poop may be blowing too full,
 Furl thy bellying sails into narrower span.'

EPODE 3. *Parentis olim.*

' If a wight, upon a time,
 Ever has, with hand of crime,
 Wrenched his sire's aged neck, [I ween]
'Tis that he hath eating been (!!)
 Garlic, deadlier, [without question]
 E'en than hemlock. O digestion,
 Hard as iron, of the reaper !
 What's this poison, which so deep here
 Is turmoiling in my chest ?
 Has the blood of viper, dressed
 In these vegetables, passed me
 Undetected ? Or, [to blast me]

Has Canidia meddling been
 With your pestilent cuisine?
 When Medea fell in love,
 All the Argonauts above,
 With their brilliant captain, Jason,
 Meditating how to place on
 Bulls a yoke untried before,
 'Twas with this she smeared him o'er.
 'Twas with presents dyed with this
 Having venged his harlot miss,
 Off on snake's wing she did caper.
 Nor did ever such a vapour
 From the stars besiege about
 E'en Apulia's land of drought:
 Nor did gift upon the shoulder
 Of the wonder-working soldier
 Hercules, take to inflammation
 With a fiercer conflagration.
 But if e'er, jocose Maecenas,
 Aught thou fancying hast been as
 This, I hope and pray your fair
 May present her hand to bar
 Your kiss, and on the side recline
 Of sofa farthest off from thine.'

Surely after this, there can be no occasion to proceed further with our extracts. We should have liked, however, to have illustrated a little more at length Mr. Sewell's conceptions of the things he thinks so necessary—accuracy, poetical language, rhythm, and rhyme. With regard to the last especially, it would have been interesting to inquire how far the intellectual and moral improvement of a pupil (and it should be recollectcd that both are ostensibly aimed at) may presumably be promoted by such assonances as *then, him*; *revenues, close*; *one, own*; *towards* (pronounced as a monosyllable) *swords*; *act, drayged*; and fifty others equally unacceptable to either eye or ear. It is fair to say, that Mr. Sewell does appear to a certain extent conscious of his own short-comings. He hopes that the suggestions in his preface 'will account for certain laxities in rhymes — for a few ' expletives marked in brackets — for some harsh involutions — ' for the occasional use of pleonasms, to suggest more copious ' language — and for a thousand failures to produce easy and ' elegant poetry.' So far as we can see, his suggestions do nothing of the kind. He disclaims any intention of giving a perfect translation, but he prepares us to expect first-rate construing. What else can be the meaning of his lamentations over the state of scholarship in Oxford? Does he wish us to

believe that his ignorance is a plumbmet over it? What are we to make of his feverish anxiety to preserve the classics from being profaned by puerile translation, if his work is not to be regarded as a vindication of their injured honour? What becomes of his exposition of the ethical advantages of rhythmical exercises, if we are to look for nothing beyond a facility of indifferent rendering? Is he merely ambitious of the fame of Pope's unreadable and unsaleable contemporary, whose publisher consoled himself with the thought that he could translate an ode of Horace quicker than any man in England? On the contrary, he plainly gives us to understand that he looks on the task of construing as a sacred duty. In the preface to his *Agamemnon* he has employed two whole pages of pseudo-philosophical extravagance to show, that in translation a boy 'may be taught 'the highest and ultimate laws, by which his whole nature must 'be regulated in all the future business of life.' And he not obscurely intimates that the modern pretenders to learning are quacks and charlatans, destitute of that patient and reverent spirit which is the sole key to classical as to all other knowledge. We presume that he intends to complete his work by a translation of the Satires and Epistles. Before he gets very far he will come to a line *Quam temere in nosmet legem sancimus inquam.* Is it too much to hope that so docile a student, after rendering the words into such English as he can, may be induced to reflect on the sentiment, and its possible applicability to the peculiar wants of his own mental condition?

And now we have done. As critics, we have sought to call attention to a production which, if viewed in connexion with its antecedents and concomitants, must be considered as one of no ordinary assumption. We cannot enlarge on any of the numerous reflections, which the appearance of publications like this, in the present state of the University question, must necessarily suggest. We will only put it to Mr. Sewell's colleagues, whether they wish his translations to be taken as a sample of the kind of classical instruction which is given in the Exeter lecture rooms. Such things may unhappily exist: but it is scarcely prudent to force them on the notice of the world by a public advertisement.

ART. V.—*The Lives of the Chief Justices of England, from the Norman Conquest to the Death of Lord Mansfield.* By JOHN LORD CAMPBELL, LL.D. F.R.S.E. Two volumes. London: 1849.

AMONG the felicities of Lord Campbell's long and prosperous career, the comparative leisure which he enjoyed from 1841 to 1850 was, perhaps, one of the greatest. It is to that interval of leisure that he probably will owe his widest and his most permanent fame. Had he retained the Irish seals, or exchanged them for the high office which he now holds, he would have been remembered as a successful advocate and a distinguished judge. His decisions would have been quoted by lawyers, and historians must have noticed him as a debater; but his literary reputation would have depended on his speeches. Now speeches, however admirable, are seldom popular. Of the hundreds, probably the thousands, of orators, who, from the times of Ulysses down to those of Guizot, have ruled or charmed their hearers, there are really only two, the great Greek and the great Roman, whose speeches are familiarly read.

During centuries the greatest masters of thought and of language that ever spoke or wrote threw into public speaking the whole force of their brilliant talents and unwearyed diligence. Many of their orations are preserved, but they are used only as materials of history or as commentaries on Demosthenes; and would be probably as much studied, or nearly so, if they had none of the high qualities to which their authors devoted the labour of years. Some outlines, indeed, of Pericles are well known, because they have been worked into the enduring fabric of Thucydides, but they are not speeches but essays: — wonderful examples of acute observation and elaborate reasoning, but too compressed and perhaps too refined to be followed by even an Athenian audience. All Roman oratory, except that of Cicero, has perished: it did not retain sufficient interest to repay transcription. Modern eloquence has been embalmed by the printing press; but it is preserved like a mummy. It does not perish, but it is not looked at. Who now reads the vast body of eloquence which rendered the bar of France illustrious? How few consult, as collections of works of rhetorical art, the records of her deliberative assemblies? Mirabeau is known in consequence of the interest excited by his strange social, and by his brilliant historical, life; but of the speeches which influenced the destinies of Europe little is now read except some dazzling sentences. The world had almost forgotten that Robespierre

was a great orator, when Lamartine disinterred a few specimens of the cold argumentative enthusiasm which made him master of the Jacobins and of the Convention.

There are few English libraries that do not contain whole lines of volumes of Pitt, Fox, Burke, Windham, Erskine, and Sheridan; but which of them, except those of Burke, are ever taken from the shelf? and Burke's speeches are read principally in consequence of the very qualities which interfered with their efficiency when delivered,—their penetrating philosophy and widely-drawn and varied illustrations. We do not believe that Lord Campbell will be an exception to the general law which confines the orator to evanescent celebrity: which puts him on the same footing with the other artists whose business it is to produce immediate and powerful but transient effects: to excite and animate and delight those who see and hear them, but to leave behind them a reputation depending, like the peculiarities of the Church of Rome, not on Scripture, but on tradition.

From this fate the Lives of the Chancellors and the Lives of the Chief Justices will preserve him. He has enriched the literature of England with contributions which will probably never die, because they will always amuse, and it is the power of amusing that confers literary immortality. The writer who has merely conveyed instruction, may leave a permanent name, but it soon outlives the popularity of his works. They are among the quarries from which his successors dig materials to be employed in constructing more spacious edifices, which, in their turn, serve merely as materials to another generation of philosophers. Few, even among scholars, know much of Plato: every schoolboy is familiar with Plutarch. The 'Rambler' and the 'Idler' have become mere names. It is in the 'Lives of the Poets,' in the 'Journey to the Hebrides,' and, far more than those, in the gossip of Boswell, that Dr. Johnson really lives.

There is, indeed, in Lord Campbell's works much instruction. His subjects have been so happily selected, that it was scarcely possible that there should not be. An eminent lawyer and statesman could not write the lives of great statesmen and lawyers without interweaving curious information, and suggesting valuable principles of judgment and useful practical maxims: but it is not for these that his works will be read. Their principal merit is their easy animated flow of interesting narrative. No one possesses better than Lord Campbell the art of telling a story: of passing over what is commonplace; of merely suggesting what may be inferred; of explaining what is obscure; and of placing in a strong light the details of what is interesting from its strangeness or its importance.

Of course it is impossible to notice all, or even the majority, of so numerous a list of biographies. We shall select a few names, which, either from their intrinsic interest or from the manner in which they have been treated by Lord Campbell, appear to us to deserve especial consideration.

We shall begin by Sir Edward Coke.

He is obviously a favourite with his biographer; and Lord Campbell, being a judicious patron, has heightened the flavour of his praise by a judicious mixture of blame. Still we cannot but think that he puts his hero too high: —

‘ Most men,’ he says, ‘ I am afraid, would rather have been Bacon than Coke. The superior rank of the office of Chancellor, and the titles of Baron and Viscount, would now go for little in the comparison; but the intellectual and the noble-minded must be in danger of being captivated too much by Bacon’s stupendous genius and his brilliant European reputation, while his available qualities win their way to the heart. Coke, on the contrary, appears as a deep but narrow-minded lawyer, knowing hardly any thing beyond the wearisome and crabbed learning of his own craft, famous only in his own country, and repelling all friendship or attachment by his harsh manners. Yet when we come to apply the test of moral worth and upright conduct, Coke ought, beyond all question, to be preferred. He never betrayed a friend, or truckled to an enemy. He never tampered with the integrity of judges, or himself took a bribe. When he had risen to influence, he exerted it strenuously in support of the laws and liberties of his country, instead of being the advocate of every abuse, and the abettor of despotic sway. When he lost his high office he did not retire from public life “with wasted spirits and an oppressed mind,” overwhelmed by the consciousness of guilt, but bold, energetic, and uncompromising, from the lofty feeling of integrity, he placed himself at the head of that band of patriots to whom we are mainly indebted for the free institutions which we now enjoy.’*

To most of the readers of the histories of those times the names of Bacon and Coke appear to be contrasts. Yet there were many points, and those very important ones, in which their characters agreed. Both were the slaves of ambition and of avarice. Ambition drove Bacon to trample on Essex, and Coke to trample on Raleigh. Coke’s integrity did not show itself until he was on the Bench. Lord Campbell admits that while Attorney-General he unscrupulously stretched the prerogatives of the Crown, was utterly regardless of public liberty, and perverted the criminal law by much individual oppression.† So much for his public morality! In private life we find him

* Vol. i. p. 345.

† Vol. i. p. 268.

deliberately sacrificing the whole happiness and, as it turned out, the honour and the virtue of his young daughter, to the hopes of reconciling himself to the Favourite and to the King. This is perhaps less despicable than the corruption of Bacon, but more odious. Both Bacon and Coke were eager to acquire money; but the covetousness of Bacon was stimulated by the desire of magnificent expenditure; that of Coke by the desire of vast accumulation. And as the wish to accumulate is less urgent than the wish to spend, Coke kept his passion under better controul than his great rival. Avarice seduced Bacon into dis-honour — Coke only into meanness.

Both Bacon and Coke are entitled to a high rank among the benefactors of mankind; and many of our readers may be surprised at our discussing as a question their comparative pre-eminence. The services rendered by Bacon are acknowledged by the whole civilised world. Every head bows at the name of the reformer of philosophical inquiry. The merits of Coke are known only to lawyers and historians; and even historians have in general passed slightly over his parliamentary career, and have treated his judicial independence merely as honourable to him, without attaching to it great public importance. Yet we are inclined to place Coke, as an object of the gratitude of posterity, not merely on a level with Lord Bacon, but perhaps even above him. Bacon's services in pointing out the true road to scientific discovery were unquestionably very great. To him we owe mainly the rapid progress of physical science. But it must be recollecteced, in the first place, that he did comparatively little to advance mental science. After three and twenty centuries, we find rhetoric, criticism, and logic nearly as they were left by Aristotle. If our knowledge of polities exceeds his, we owe it principally to our enlarged experience. If our morality is purer, it is owing perhaps altogether to Revelation. The Nicomachean ethics seemed to have pushed the science of mental pathology and the art of morality as far as unassisted reason could carry them. In the mental sciences and arts, as far as we can infer from the results which they obtained, the methods employed by the Greeks did not require correction from Bacon. Hume's expectation of the 'like reformation in all moral disquisitions' from the experimental method, has not yet been realised.

In the second place, there seems no reason to believe that if Bacon had never existed, the advance even of physical science would have been materially retarded. The real emancipator of the human mind was Luther. After principles of belief so ancient and so firmly established as those which he attacked had been uprooted, it was impossible that the baseless assumptions

of ontologists and cosmogonists could remain unchallenged. It was impossible that Philosophy could long be permitted wantonly to assume her premises, after Faith had been forced to submit hers to the test of inquiry. Sooner or later the bubbles of the schools would have been punctured by common sense, and they would have collapsed as completely as they did under the hands of Bacon.

And lastly, the knowledge to which he led the way, important and even glorious as it is, is not the knowledge on which human happiness principally depends. Abstract and physical science have been cultivated with most success in France — moral and political science in England; and how different has been the degree of happiness enjoyed by the respective countries! Even in the arts to which physical science is subservient, we far excel those who furnished the principles of which we make use. We are better navigators, better engineers, and better manufacturers than those on whose discoveries we found our processes. If a people enjoy the institutions which are favourable to security of property and to freedom of action and thought, it will obtain moral and political knowledge; and it is on that knowledge, and on the habits of acting and feeling which that knowledge produces, that its happiness principally depends.

Now it is the glory of Coke, that he was one of the illustrious band to whom we owe the parliamentary independence on which our free institutions are based, and the judicial independence by which they are preserved. The most celebrated part of his history is, perhaps, his magnanimous firmness as a Judge. For in that struggle he was alone. A Judge, a removable officer of the Crown, appointed and dismissed according to the caprice of the monarch, was as much a servant as any page in the royal household. When Coke, to the question whether he would stay proceedings in obedience to a royal order, answered that ‘When the case happened he would do that which it should be fit for a Judge to do,’ he took a position from which all his colleagues fled, and which none of his immediate predecessors had ever assumed, or probably had ever thought of assuming. And he not merely risked influence and station, he knowingly abandoned them. Surrounded by such rivals and enemies, without supporters or even friends, old and unpopular, he could not hope to beard so despotic a monarch as James and to retain his office; he could not rely on even his personal safety. That he preserved his fortune and his liberty was more than he had a right to expect. But wealth and freedom to a man deprived of power and exiled from court, were not then what they are to us, or what they were even fifty years afterwards. The sovereign was then really the fountain of honour, and those on whom

he looked coldly were frowned on by the world. We admire a man who sacrifices power to principle, though he is rewarded by immediate popularity; Coke made the sacrifice, but had to wait many years for the reward.

The splendour of Coke's conduct as a magistrate has somewhat obscured his reputation as a statesman. Yet the part which he took in securing to us internal freedom of trade, by abolishing monopolies, and to obtain for us extended free trade, by opposing the restrictive system which was then beginning to infuse its poison into our commercial code, would have given immortality to any man who had not other and stronger claims to it. It was fortunate for his fame as a political economist that England was still an exporter of agricultural produce, so that the immediate and obvious interests of the governing classes were promoted by free trade: this enabled him to say, 'I never yet heard that a bill was ever before preferred in Parliament against the importation of corn, and I love to follow ancient precedents.' We doubt whether if he had lived in 1846 he would have ventured to undo the legislation of 150 years. His defence of usury laws, on the ground of God having forbade usury to his own people, and because usury is contrary to the law of nature, is not promising.

Still more meritorious was the Protestation of 1621, in which replying to the King's command to the House of Commons 'that none therein should presume henceforth to meddle with anything concerning our government or deep matters of State,' he declared, 'that the arduous and urgent affairs concerning the king and State, and the making and maintenance of laws, and the redress of grievances, are proper subjects and matter of counsel and debate in Parliament, and that the Commons in Parliament have and ought to have liberty and freedom to treat of such matters in such order as in their judgment shall seem fittest.'

More important still were the resolutions of 1628, which affirmed, 'that no freeman ought to be detained in prison unless some cause of the detainer be expressed for which by law he ought to be detained, and that the writ of habeas corpus cannot be denied to any man that is detained in prison or otherwise restrained by command of the King, the Privy Council, or any other:' resolutions on which is founded a degree of personal liberty which no other portion of Europe, not even France after sixty years of revolution, has yet acquired.

But his greatest claim to our gratitude is as the framer of the Petition of Right, which laid so firmly the basis of parliamentary,

as opposed to monarchical, government, that it was only by civil war that Charles could hope to shake it. His speech, in moving the rejection of the Lords' amendment 'that nothing contained in the bill should be construed to entrench on the *sovereign power* of the Crown,' has a simplicity and brevity which amount to eloquence. 'This is a petition of right, grounded on 'Acts of Parliament and on the laws which we were born to enjoy. Our ancestors could never endure a "salvo jure suo" from kings — no more than our kings of old could endure from churchmen "salvo honore Dei et Ecclesiae." We must not admit it, and to qualify it is impossible. Let us hold our privileges according to law. That power which is above the law is not fit for the king to ask or the people to yield. Sooner would I have the prerogative abused, and myself to lie under it: for, though I should suffer, a time would come for the deliverance of the country.'

We are inclined to think that Coke's political services are somewhat undervalued even in England. He certainly has not received from foreign nations the gratitude to which he is entitled. The reigns of the Stuarts form the turning point in the history not only of England but of Europe. With the single exception of Holland, the current was everywhere running steadily towards absolute monarchy. Nation after nation had been forced to surrender liberties as ample as those, which at the accession of James I. we could legally claim. England was the only remaining stronghold of the constitutional monarchy which our German ancestors spread over the whole of Europe. Lord Campbell thinks that even if Charles had succeeded, yet 'in the course of time the violence of popular discontent, and the weakness of a despotic government, would at last have brought about a sudden and dreadful convulsion such as those which we now see raging on the continental States.* This we are inclined to doubt. We do not think that it can be affirmed with confidence, that in the seventeenth century a permanent despotism was impossible in England. Without doubt such a form of government cannot co-exist with a parliament. The despotism of France melted away before the Etats Généraux. But parliaments might have been abolished. Lord Campbell has shown that the law, as laid down by Chief Baron Fleming in 'The great Case of Impositions,' would have enabled the Crown to enjoy a sufficient revenue without any parliamentary tax. According to that case, which for years was accepted as law, 'It being for the benefit of every subject

* Vol. i. p. 387.

' that the king's treasure should be increased, all commerce, and
 ' dealings with foreigners, like war and peace, are determined
 ' and regulated by the absolute power of the king. No import-
 ' ation or exportation can be but at the king's ports. They
 ' are his gates which he may open or close when and on what
 ' conditions he pleases. The wisdom of the king must not be
 ' disputed, for, by intendment, it cannot be separated from his
 ' person. If it be objected that no reason is assigned, I
 ' answer, it is not reasonable that the king should express the
 ' cause and consideration of his actions. They are *arcana
 regis.*'*

Armed with such doctrines, and supported by an unlimited power of imposing duties on all imports and on all exports, the King of England, like his brothers on the Continent, might have gradually assumed every power that he wanted, until the liberties of England, without any positive revolution, had become as obsolete as those of Bohemia. Our American colonies would have withered under the absolute viceroys of an absolute king. Holland, unprotected by the sympathy and the force of England, would have become a part of France. France herself would have had no example of freedom to induce her to break the gilded chains which she appeared to wear as ornaments. And while France and England remained despotic, there would have been little chance of the establishment of constitutional government anywhere else.

We have left to the last the portion of Coke's achievements on which his reputation has chiefly rested,—his legal writings. In his Reports and his Institutes he left a memorial, now crumbling into dust, of his unwearied diligence, his exact memory, and his wonderful power of analogical reasoning. And he left in them also a memorial of his utter unfitness to discover or even to understand the real purposes for which laws ought to be made. One of the most important of these purposes is to lay down the rules according to which landed property is to be enjoyed, transmitted, and transferred. The different problems into which this great question may be subdivided, are not all resolvable in the same way in every state of society. There are some political institutions to which permanent entails are suitable, others in which a less durable power of entail is advisable; and there may be some in which none ought to be permitted. Some great nations — such as France — repudiate, except in a very slight degree, testamentary power; others — such as England — insist on its existing absolutely uncontrolled.

But there are two rules which appear to be universally expedient,—to be applicable in a new or in an old community, in a monarchy, in an aristocracy, or in a democracy. They are, first, that where a man has the power, and has clearly manifested the will, to give property, or a partial interest in property, to another, the conveyance should be effectual; and, secondly, that the law should oppose, or at least should not facilitate, the acquisition of property by wrongful acts.

Now the law of England, as expounded in the courts of common law, not only has neglected, but has systematically and intentionally violated, both these rules. It has surrounded the transfer of property with a network of quicksands and reefs, through which a narrow channel winds, dangerous to even the most cautious and the most experienced pilot. Even now, after the track has been buoyed by the decisions of centuries; after act of parliament on act of parliament has endeavoured to widen and improve it; and after the courts of equity—with a courage and a good sense which are above all praise—have applied their powerful machinery to float us over its dangers and obstructions, —even now the English system of conveyancing is a disgrace to a civilised nation. The law of real property, as created and administered by the common law judges, instead of being a collection of rules founded on convenience, is an arbitrary science, like heraldry or astrology, or freemasonry, based on definitions and similes, and sacrificing without scruple both justice and reason, to preserve its metaphors unbroken. Thus one sort of uncertain future interest, called a contingent remainder, was said to be supported by a previous interest, which the courts thought fit to say must be an interest for life. If this interest was absent or destroyed, the support failed. Therefore, in pursuance of the metaphor, the remainder failed too. A science resting on verbal subtleties might have been expected to possess at least an accurate terminology. So far, however, is this from being the case, that the words ‘right,’ ‘possibility,’ ‘estate,’ ‘contingent,’ ‘executory,’ ‘limitation,’ ‘purchase,’ ‘power,’ and in fact most of the important technical terms in conveyancing, are promiscuously used in half a dozen different senses; and grave decisions have been grounded, and even rules of law established, on syllogisms, in which the middle term was used in one sense in the major and in another in the minor.

But while the law dug these pitfalls around the honest purchaser, devisee, or inheritor, it devised a whole science, called the learning of deforcement, for the benefit of the fraudulent or violent intruder. It divided wrongful possessors into classes,

such as abators, disseisors, deforciants, and intruders, and allotted to them their several modes of defeating the claim of the lawful owner. We will illustrate its proceedings by a case within our own experience. A man without near relations devised his property to a friend who was not his heir. The devisee died a few days before the testator. The devisee's son thought it hard that such an accident should deprive him of an estate. Provisionally, therefore, he took possession; and consulted his lawyer as to the means of retaining it. The answer was, that he was an abator, and that the means given to him by the law for the purpose of defeating the lawful heir were, a feofment and a fine. Both these proceedings were adopted. But on taking further advice, he was told that he had not used them in their proper order. He had, it seems, levied the fine before he made the feofment, and the charm, therefore, would not work. So he reversed the process, first made the feofment, and then levied the fine. Again, however, it was found that he had done wrong. Both the feofment and the fine having been perfected during a vacation, the fine had reference to the preceding term, and overreached the feofment. So he began again, and made a feofment in one term, and levied a fine in the next. At last the professors of the dark art declared that the legal magic had been properly employed; and he is now the undisputed, indeed the indisputable owner. A recent act of parliament has destroyed this science by abolishing tortious conveyances; but until a few years ago they were in constant use. They were used by persons having terms of years, who wished to rob the reversioner of his fee simple; by persons in possession, who wished to despoil contingent remaindermen; and, as in the case which we have mentioned, by mere intruders, who wished to seize on property to which they had not the shadow of a claim.

It is to this system, and to the expense and insecurity which it seems to have been intended to create, that we mainly owe one of our greatest political inconveniences and dangers,—the separation of the great mass of our population from the ownership of land. In the larger portion of Europe,—almost everywhere, indeed, except in Spain, in parts of Italy, and in the British Islands,—the greater part of the soil belongs to small proprietors. They are less skilful than our farmers, but they are more diligent, more economical, and more provident. They marry late, and consequently have small families: in France the average number of children to a marriage is only three. They defend the rights of property, because they possess them; dependence on public relief or on private charity, instead of being as it is with us the rule, is the rare exception. From this fertile source of happiness and moral improvement our peasantry,

indeed our middle classes, are cut off by our system of conveyancing. The French peasant, as soon as he has agreed with his neighbour for the purchase of half an acre, goes with him to the notaire, and has it transferred into his name ; and if he wishes to sell, can part with it as easily as he obtained it. A small purchaser with us has to ask for the abstract of the title, to send it to his lawyer, to pay for its being examined, to pay for further inquiries being made, to pay for the consideration of the answers to those inquiries, and, perhaps, after half a year's delay, finds that he has purchased a chancery suit. As the amount of these expenses in no respect depends on the value of the property,—for the title to an acre may be as intricate as that to a whole manor,—they operate as an almost prohibitory tax on small purchases. We once bought a small freehold as a qualification ; the price was 40*l.*,—the expenses were 30*l.* To this cause, also, is to be attributed the comparatively low value of land in England. France is a poorer country than England, landed property there is a less advantageous investment : it is subject to enormous direct taxation, and does not give the social pre-eminence which attends it in England. But it sells for one-third more. Forty-five years' purchase is as common in France as thirty years' purchase is with us. If instead of clamouring for protection from foreigners, the landed interest had asked for protection from lawyers,—if they had required from the legislature, of which they are the most powerful portion, a rational system of conveyancing, they would have done what they have failed to do,—they would have really raised the value of land.*

Now this monstrous system was Sir Edward Coke's idol. It was this silly, but yet mischievous rubbish, which he thought the perfection of reason. He resisted its correction by the courts of equity,—and by the clearness with which he expounded its principles, and the sagacity with which he endeavoured to reconcile its discrepancies, he contributed more than any other writer to its permanence. No man knows its faults better than Lord Campbell : no man has laboured more zealously or more ably in the arduous work of correcting them. We

* English lawyers seem disposed at last to clear themselves from this reproach. (See *Land-measures for England*, Law Review, Nov. 1850.) They have recommended Registration ; and they lately received, with acclamation, Mr. Field, one of the commission for simplifying the legal procedure of New York. The question of Peasant Proprietorship seems one of proportion. See the case on the other side, in two able Notices of 'Notes by a Traveller,' in *Tait's Magazine* for November and December last.

rather wonder, therefore, at his rating so highly as he appears to do the services of Coke as its expounder, and, to a considerable degree, its creator. We confess that the utter ignorance of the real objects of legislation which is betrayed by Coke's writings, almost leads us to modify our praise of his parliamentary conduct. We cannot but suspect that the measures which he carried, great and well directed as they were, were almost as much the fruit of his quarrel with the Government, as of his wish to promote the welfare of the people. With our imperfect nature, when benefits have been conferred, we ought not, perhaps, to scan nicely the motives by which our benefactors may be supposed to have been influenced. Great services ought to be repaid by great gratitude. Still it must be admitted that Coke's opposition to monopolies, to arbitrary imprisonment, and to arbitrary taxation, would have conferred on him a still higher reputation, if we had been sure that it had been prompted by an enlightened desire of the public good, unassisted by blind resistance to change, or by well-founded resentment against the Crown.

Coke's successor, Montague, need not detain us long. The only remarkable event of his Chief-Justiceship was his having to pronounce sentence on Sir Walter Raleigh. The concluding passage of his address to the prisoner is very striking : —

' I know you have been valiant and wise, and I doubt not but
 ' you retain both these virtues, which now you shall have occa-
 ' sion to use. Your faith hath heretofore been questioned ; but
 ' I am satisfied that you are a good Christian, for your book,
 ' which is an admirable work, doth testify as much. I would
 ' give you counsel, but I know you can apply unto yourself far
 ' better counsel than I am able to give you. Yet, with the
 ' good Samaritan in the gospel, who, finding one in the way
 ' wounded and distressed, poured oil into his wounds and re-
 ' freshed him, so will I now give unto you the oil of comfort ;
 ' though (in respect that I am a minister of the law) mixed with
 ' vinegar. Fear not death too much nor too little—not too
 ' much, lest you fail in your hopes—nor too little lest you die
 ' presumptuously. The judgment of the court is, *that execution*
' be granted ; and may God have mercy on your soul !'*

Passing over his undistinguished successor, Ley, we proceed to Chief Justice Crewe, whom Lord Campbell properly designates as ' a perfectly competent and thoroughly honest Chief Justice.' He seems to have been an admirable specimen of an accomplished civilian of the 17th century. Mild, but yet re-

solute, fond of heraldry and genealogy, and, as may be inferred from the magnifieent mansion which he erected at Crewe, of architecture ; deeply imbued with the feelings and associations, perhaps we might call them the prejudices, whieh often accompany ancient descent, and devoting the whole force of a powerful intellect and of unwearied perseverance to one great object, the restoration of the splendours of the family of Crewe. His opinion on the Oxford Peerage Case, in which he preferred a remote male heir to a nearer female, illustrates well both the man and the times. It might figure in the ‘Romance of the Peerage.’

‘ This great and weighty cause, incomparable to any other of the sort that hath happened at any time, requires much deliberation and solid and mature judgment to determine it. Here is represented to your lordships *certamen honoris*, illustrious honour. I heard a great peer of this realm and a learned man say when he lived, there is no king in Christendom hath such a subject as Oxford. And well might this be said, for De Vere came in with the Conqueror, being then Earl of Guynes ; shortly after the Conquest he was made Great Chamberlain by Henry I., the Conqueror’s son, above 500 years ago. By Maud the Empress, he was created Earl of Oxford, the grant being Alberico Comiti, so that he was clearly an Earl before. He was confirmed and approved by Henry Fitz-Empress, Henry the Seeond. This great honour, this high and noble dignity, hath continued ever sinee in the remarkable surname of De Vere, by so many ages, descents, and generations, as no other kingdom ean produce such a peer in one and the self-same name and title. I find in all this time but two attainders of this noble family, and those in stormy times, when the government was unsettled, and the kingdom in competition.

‘ I have laboured to make a covenant with myself, that affection may not press upon judgment ; for I suppose there is no man that hath any apprehension of gentry or nobleness, but his affection stands to the continuance of a house so illustrious, and would take hold of a twig or twine thread to uphold it. And yet time hath his revolutions ; there must be a period and an end to all temporal things—*finis rerum*—an end of names and dignities, and whatsoever is terrene ;—and why not of De Vere ?—for where is BOHUN ? Where is MOWBRAY ? Where is MORTIMER ? Nay, which is more, and most of all, where is PLANTAGENET ? They are entombed in the urns and sepulchres of mortality ! Yet let the name of De Vere stand so long as it pleaseth God.’*

Could such a speech be made now? We think not. The enthusiasm of the Chief Justice was kindled, as might perhaps have been expected from his heraldic and genealogical pursuits, not by the great deeds of the De Veres, but by the antiquity of their descent. He venerated them, as we venerate an ancient oak which has seen the rise and fall of thirty generations of short-lived men. Now mere antiquity of birth, that is to say, descent from a family which has possessed great wealth during many centuries, has ceased to be reverenced. We admire it, as we admire every thing which we very seldom meet with, but by itself it excites no stronger feeling. If indeed it be added to great personal distinction, the union of the two is imposing. When we see the House of Lords led, as it scarcely ever was led before, by one whose nobility is as old as that of the De Veres, we are struck by the combination of two sources of illustration, each of which, even alone, is very rare. But an ancient name, unsupported by personal merits, is now almost valueless.

Sir Randolph Crewe followed Coke's glorious example in declaring the unlawfulness of arbitrary taxation and imprisonment. Like Coke, he was dismissed; like him, he felt deeply, more deeply than it is easy for us to conceive, the loss of his office; and like him, he made a strong effort to recover it. But it was the effort of a much loftier virtue and of a much less vigorous will. Coke strove to influence Buckingham, first by his hopes and afterwards by his fears: first by surrendering his daughter and her vast expectations to Sir John Villiers; and afterwards, when that had failed, by leading the first regular parliamentary opposition of which an English House of Commons was the scene. Crewe tried to propitiate the favourite merely by respectful argument and entreaty. Lord Campbell thinks his letter to Buckingham most creditable. It appears to us pitched in too low a key. We refer our readers to it. (Vol. i. p. 376.) When it is recollectcd that a short time afterwards Sir Randolph was able to purchase the great Crewe estates, and to build the magnificent palace which still, without addition or alteration, is one of the ornaments of England, it is not easy to sympathise with his lamentations over his 'poore name and 'familey,' and 'poore fortune.'

Crewe's successors during the stormy interval between his removal and the Commonwealth need not detain us. The only remarkable act of Hyde is his answer, when Charles asked whether, by assenting to the Petition of Right, he would lose the power, which that petition formally denied to him, of committing or restraining a subject without showing cause? 'Every law,' said Hyde, 'after it is made, hath its exposition,

' which it is left to the Courts of Justice to determine; and although the petition be granted, there is no fear of conclusion, as is intimated in the question.'* These few words comprehend the whole theory of legal interpretation,—an art which has never perhaps flourished so vigorously as in England. In some countries a law, of which the courts disapprove, is still executed until public opinion demands its repeal; in others advantage is taken of any interval in which it has not been called into force, and it is considered to have ceased by dissuetude. Our judges acknowledge its validity, but blandly evade it by an interpretation. Peter, Jaek, and Martin, sitting in conclave to expound their father's will, were timidly scrupulous when compared to an English Bench.

Heath, the last of Charles's Chief Justices, was one of the most respectable, for he was a conscientious ultra-royalist.

' He read law and history,' says Lord Campbell, 'with the preconceived conviction that the king of England was an absolute sovereign, and converted all he met with into arguments to support his theory. One convenient doctrine solved many difficulties; he maintained that parliament had no power to curtail the essential prerogatives of the crown, and that all acts of parliament for such a purpose were *ultra vires*, and void. There is no absurdity in this doctrine, for a legislative assembly may have only a limited power, like the Congress of the United States; and it was by no means so startling then as now, when the *omnipotence of parliament* has passed into a maxim.'†

We are inclined to differ from Lord Campbell, and to believe that Heath's doctrine was as absurd as it was mischievous. It is true that a legislative body may have only a limited mission. The Poor Law Commissioners in respect of their power to issue general rules, and the Equity Judges, in respect of their power to make orders in Chancery, are legislative bodies; with narrowly restricted powers. The Assemblies in our colonies have a much wider field, but still there are bounds to it. All these, however, are subordinate bodies. So is the Congress of the United States: it is appointed for certain special purposes, and when it has attempted to go further the judges have authority to declare its acts to be unconstitutional and void. But a legislative body which has no superior, which represents the will of the nation, like the Convention of the United States, or the British Parliament, must be omnipotent. Every independent nation has a right to make its own laws—every successive generation of such a nation has a right to alter those laws. To deny

* Vol. i. p. 384.

† Vol. i. p. 409.

this, is to maintain that those who inhabit a given territory in one century, have a right to prescribe rules to those who are to inhabit it in all future centuries. It is to say, that the legislation of barbarians is to govern their civilised descendants, that that of the ignorant is to govern the instructed, that that of the dead is to govern the living. The only plausible theory in favour of an unalterable monarchy is divine right. All human rights are necessarily transitory.*

As far as the appointment of judges is concerned, the Commonwealth was a sunny interval between storms. Cromwell was just and conscientious. He hated lawyers indeed, as the founder of a revolutionary government necessarily must do; he despised their scruples, and saw through the absurdity of many of their forms, he even expressed rather indecorously his want of reverence for *Magna Charta*, — but he felt the necessity of having the bench well filled, and showed his usual sagacity in the choice of judges. Rolle, however, the most eminent of the judges of this period, was not made by him, but by the Long Parliament. Lord Campbell has inserted his judgment in the case of Don Pantaleon Sa, who, though secretary to the Portuguese ambassador, was executed for avenging a supposed insult by assassination. It is an admirable piece of legal reasoning, and has established both the law which it lays down, that the attendants of an ambassador are privileged only in civil cases,

* Absurd as is the doctrine of inalienable rights, it was long the favourite and almost the characteristic tenet of the Tory party. Lord John Russell, in his ‘Life of Lord W. Russell,’ towards the end of the reign of Charles II., notices, as an instance of it, their considering ‘the crown as a sacred and inalienable inheritance;’ and their holding ‘that the right of the successor to the crown was paramount and indefeasible.’ So Mr. Fox, in his ‘History of the Early Part of the Reign of James II.,’ observes:—‘The truth seems to be that the King, in asserting his unlimited power, rather fell in with the humour of the prevailing party, than offered any violence to it. Absolute power in civil matters, under the specious names of monarchy and prerogative, formed a most essential part of the Tory creed; but the order in which Church and King are placed in the favourite device of the party, is not accidental, and is well calculated to show the genuine principles of such among them as are not corrupted by influence.’ Mr. Fox declares that a due consideration of these distinct features is exceedingly necessary to the right understanding of English history. It was one of the chief constitutional advantages of the Revolution, that after it we hear no more in Courts of Law of an abstract *jus regium* by consent of nations, or of a native immortality in the prerogative against which even acts of parliament would be void.

and also the law which it suggests, that the foreign minister himself is exempt from the jurisdiction of the criminal courts of the country to which he is accredited.

Lord Campbell remarks, that the administration of criminal justice during the Commonwealth was purer and fairer than it had been for a long period before, or than it became under the Restoration. During the Commonwealth the prevailing motive was religion; and religion, though in ill-regulated minds it may produce cruelty towards those of different opinions, seldom tempts to fraud or chicanery: while on subjects unconnected with faith, it prompts to justice and fair dealing. Still, however, many of the old oppressions remained: prisoners were denied the assistance of counsel, even as to legal questions arising on the evidence, unless the Court, in its discretion, thought fit (which it seldom did) to grant it. The witnesses in their favour were not allowed to be sworn, and they had no means of compelling their attendance. Improper evidence was admitted, though not so freely as before; juries were packed; and for the trial of those with whom juries could not be trusted, a High Court of Justice was created, consisting of about 150 persons, any seventeen or more of whom were a quorum, not subject to challenge, deciding by a bare majority, and combining the functions of Judge and Jury. At the same time it is observable, that this tribunal, however unfairly constituted, was not more so, than the Court of the Lord High Steward for the trial of Peers, previous to the Revolution.

One of the most interesting of the trials before this High Court is that of Christopher Love. He was a Presbyterian divine of great eminence, and was accused of having corresponded with the Scotch Presbyterians, who acknowledged Charles the Second; and of having, in the words of the charge, conspired 'to raise up foes against the present government of this nation since the same hath been settled in a commonwealth and free state, without a King and House of Lords.' The greater part of the evidence was mere hearsay: of that which directly criminated the prisoner, some was extorted from persons under the same accusation, under a promise of pardon, 'if they dealt ingenuously'; and other portions were mere assents from the witnesses to leading questions. The spirit and presence of mind of Love were remarkable. In the beginning of the trial he was urged by the Lord President to initiate Achan—to confess and glorify God; and by the Attorney-General to admit that he had corresponded with the Scotch. His answer is admirable:—'I will admit of nothing. I have so much of a Christian in me that I will deny nothing that is

' proved to be true, and so much of an Englishman that I will admit of nothing that is seemingly criminal.'*

As was the case with almost all (we believe that there was but one exception) who came before that court, he was convicted. His speech from the scaffold, to which he was accompanied by Calamy and by two other eminent Presbyterian members, is a magnificent death song :—

' I am not only a Christian and a Preacher, but, whatever men judge, I am a Martyr. I speak it without vanity. Would I have renounced my covenant, and debauched my conscience, and ventured my soul, there might have been hopes of saving my life; but, blessed be my God, I have made the best choice — I have chosen affliction rather than sin; and therefore welcome scaffold, and welcome axe, and welcome block, and welcome death, and welcome all, because it will send me to my Father's house. I have great cause to magnify God's grace, that he hath stood by me during mine imprisonment: it hath been a time of no little temptation to me, yet (blessed be his grace!) he hath stood by me and strengthened me. I magnify his grace, that though now I come to die a violent death, yet that death is not a terror unto me — through the blood of sprinkling, the fear of death is taken out of my heart. God is not a terror unto me, therefore death is not dreadful to me. I have now done: I have no more to say, but to desire the help of all your prayers, that God would give me the continuance and supply of divine grace to carry me through this great work that I am now about; that as I am to do a work I never did, so I may have a strength I never had: that I may put off this body with as much quietness and comfort of mind as ever I put off my clothes to go to bed. And now I am to commend my soul to God, and to receive my fatal blow, I am comforted in this: "though men kill, they cannot damn me; and though they thrust me out of the world, they cannot thrust me out of heaven." I am now going to my long home, and you are going to your short homes; but I will tell you I shall be at home before you; I shall be at my Father's house before you will be at your own houses. I am now going to the heavenly Jerusalem, to the innumerable company of angels, to Jesus the mediator of the new covenant, to spirits of just men made perfect, and to God the judge of all, in whose presence there is fulness of joy, and at whose right hand there are pleasures for evermore. I conclude with the speech of the apostle, 2 Tim. iv. 6, 7.: "I am now to be offered up, and the time of my de-

“ ‘parture is at hand; I have finished my course—I have
 ‘ ‘ fought the good fight—I have kcpt the faith—heneforth
 ‘ ‘ there is a crown of righteousness laid up for me; and not for
 ‘ ‘ me only, but for all them that love the appearing of our
 ‘ ‘ Lord Jesus Christ,’ through whose blood, when my blood is
 ‘ shed, I expect remission of sins and eternal salvation. And so
 ‘ the Lord bless you all !’ *

Lord Campbell passes over with merited brevity the three first chief justices of the Restoration,—Foster, Hyde, and Kelynge; when we come to a chief justice, a deserved favourite,—Sir Matthew Hale. He had the advantage, says Lord Campbell, of being born in the middle rank of life, and of depending on his own exertions for distinction. Hale was so great and so good—the qualities which we love, which we respect, and which we admire, were so united in his character—that it is difficult to wish that his parentage or his education had been other than they were. Any alteration of the circumstances in which he was placed might have impaired a virtue, or even have introduced a vice. Still we cannot help sometimes regretting that he enjoyed what Lord Campbell calls the advantage of obscure birth. If, like some of his most distinguished predecessors, Gaseigne, Fortescue, Dyer, or Crewe, or, like his great successor Murray, he had entered life among the high-born and the refined, he probably would have escaped several weaknesses and one or two considerable errors. He would not have passed an ascetic life, avoiding the great and the learned. He would not, by excluding his children from good society, have contaminated them by bad; and, above all, he probably would not have married his maid. If he had lived in the world, it is possible that both his poetry and his philosophy would have been better; and that at the same time he would have prided himself on them less. Theology might perhaps have less occupied his thoughts; but, on the other hand, he might have avoided the superstition which is perhaps the principal blot on his generally illustrious fame. It would not have been left to Roger North to insinuate a comparison so much to the advantage of Lord Guildford, on the trial of witches.

‘ He began,’ Lord Campbell tells us, ‘ with the specious but impracticable rule of never pleading except on the right side, which would make the counsel decide without knowing either facts or law, and would put an end to the administration of justice. “ If,” says Burnet, “ he saw a cause was unjust, he would not meddle further in it but to give his advice that it was so; if the parties after that

would go on they were to seek another counsellor, for he would assist none in acts of injustice." He continued to plead with the same sincerity which he displayed in the other parts of his life, and he used to say, "It is as great a dishonour as a man is capable of to be hired for a little money to speak against his conscience."*

It must be recollectcd that moral certainty often coexists with legal doubt. Every system of laws contains rules of evidence, under which, in certain cases, a certain amount or a certain kind of testimony is required or excluded. Thus in England two witnesses are necessary in cases of treason; in Germany two witnesses of one description or four of another are required to prove every serious accusation. In England, again, the evidence of husband or wife for or against the other is excluded; and so are privileged communications. In obedience to such a rule the judge may often be required to discharge a prisoner of whose guilt he is convinced. A counsel may be bound to call on a jury to acquit a man who has confessed to him his crime. In fact, the issue in a criminal trial is not whether the prisoner has or has not committed a certain act, but whether there is legal evidence that he committed it. In civil cases, indeed, the actual truth is often the subject of inquiry, and the Court has to decide, frequently on slight indicia, between conflicting probabilities, or even between conflicting improbabilities. In such a case an advocate would not be justified in supporting a story which, from private information, he knew to be false. This would turn him into the legal prostitute which Bentham calls him. Erskine could scarcely have made his great speech in the case of 'Day v. Day,' if Mrs. Day had confessed to him that the child whom she produced as her son had been bought from a beggar. Such difficulties, however, are rare. It is only a prisoner that unbosoms himself to his lawyer; a party in a civil suit keeps his own secrets. The criminal feels relief in confessing his evil deed; the fraudulent plaintiff or defendant has not yet completed his: the time of remorse is to come. Where matters of fact are not in dispute, it is seldom that the cause of either litigant can be called just or unjust. The questions generally are, whether, according to the rules of law, a given property belongs to the one or to the other, or what amount of damage one has inflicted on the other. In such cases a man of the most sensitive conscience may obviously take either side. The difference between the honourable and the unscrupulous counsel shows itself not in the causes which he undertakes, but in the manner in which he conducts them. An

honest advocate will not pledge his belief of what he knows to be false; he will not throw suspicion on those whom he knows to be innocent; he will not confidently lay down rules of law which he knows to be inventions of his own. He will feel, with Hale, that ‘it is as great a dishonour as a man is capable of, to be hired, for a little money, to speak against his conscience.’*

Considering the remarkable character of Scroggs, his great talents and his atrocious crimes, and the interest which belongs to the strange national delusion which he encouraged by his judicial murders, it may be thought that Lord Campbell has passed him over rather slightly. Probably he thought that Scroggs and the Popish Plot had been sufficiently treated by Scott and Macaulay, and that it was not advisable to reproduce subjects which have been already dwelt on by the greatest novelist and the most brilliant historian of modern times. We shall imitate his prudence: but one of the trials at which Scroggs presided was marked by an incident which may be worth disinterring from the State Trials. Gavan, a Jesuit, together with several of his brethren, was indicted for having, on the 24th of April, 1678, plotted to effect the king’s death. Oates swore that some time, he would not say on what day, in the subsequent July, he met Gavan in London, and that they then talked over the progress of the Plot, or, as he called it, the Design. Gavan protested that he was not in London in either

* In case any implicit confidence should be demanded even for the writings of Hale, we extract from a recent lecture by Professor Amos the warning of Sir Michael Foster:—‘It cannot be denied, and I see ‘no reason for making a secret of it, that the learned judge hath, in ‘his writings, paid no regard to the principles upon which the Revo- ‘lution and present happy establishment are founded. The prevail- ‘ing opinions of the times, in which he received his first impressions, ‘might mislead him. And it is not to be wondered at, if the detest- ‘able use the parliament army made of its success in the civil war ‘did contribute to fix him in the prejudices of his early days.’ It is no less singular than instructive, that Sir M. Foster should have exposed himself to the very same rebuke. Mr. Luders makes the same observation on Foster’s ‘partiality for the case of Damaree:’ —next in lineal succession to C. J. Kelynge’s case of Messinger,—a case, which Lord Campbell so justly condemns. Mr. Luders attributes this partiality to ‘the particulars of his life and political sen- ‘timents. He was old enough at the time of the trial to have ‘imbibed strong party prejudices, which he is known to have held, ‘and which coincided with the conviction of the prisoner.’ Sir Vickary Gibbs, who began his professional career as counsel for Hardy, expressed a still stronger opinion on the leaning shown throughout the ‘Crown Cases.’

April or July. He clearly established an *alibi* in April, but the evidence as to his absence during the whole of July was not satisfactory. There being only the oath of Oates on one side and the denial of the prisoner on the other, he said, he would submit, by way of ending the controversy, only one demand. On Scroggs inquiring what it was, Gavan replied, “‘ You know, that in the beginning of the Church (this learned and just court must needs know that), that for 1,000 years together it was a custom, and grew to a constant law, for the trial of persons accused of any capital offence, where there was only the accuser’s oath and the accused’s denial, for the prisoner to put himself upon the trial of ordeal, to evidence his innocence.’”* This is probably the last time that such a request was seriously made to an English Court; for though Thornton, in 1819, demanded the ordeal by battle, that was merely a special pleader’s trick to defeat an appeal of murder: and the same was the case with a contemporary demand made in Ireland, as mentioned by Mr. Phillips in his ‘Life of Curran.’ But Gavan appears to have made the proposal in perfect sincerity, and must have expected, therefore, a miraculous intervention in his favour,—or at least a fairer chance of escape than would have been afforded him by Scroggs.

The successor of Scroggs, C. J. Pemberton, is one of the few among Lord Campbell’s heroes, whose story is interesting from its vicissitudes. He was a man of family and of fortune, to which he had the misfortune to succeed as soon as he came of age. In two years he had not only spent it, but was a prisoner in the Fleet for debt,—and, as the law then stood, was likely to remain a prisoner during the remainder of his life.

‘He had,’ says Lord Campbell†, ‘not been sober for many weeks, and it was some time before he could fully understand where he was and what had befallen him. Amidst the squalor which surrounded him, he was surprised to find loud revelry going forward, and he recognised faces that he had seen in the haunts of vice which he had been in the habit of frequenting. He was obliged to pay the *garnish* which they demanded of him, but he resolutely refused to join in their orgies. He awoke, as it were, from a dream, and was at first almost entirely overpowered by the horrors of his situation. He used afterwards to relate, “that some supernatural influence seemed to open his eyes, to support him, and to make a new man of him.” He contrived to get a small dismal room for his own use without a chum, and in this he shut himself up. He tasted nothing but the bread and water which were the prison allowance; his share of some charitable doles arising from fees on the last day of term, and other

* State Trials, vol. vii. p. 382.

† Vol. ii. p. 27.

such sources, he gave away to others. What we have chiefly to admire is, that he nobly resolved to supply the defects of his education, to qualify himself for his profession, to pay his debts by industry and economy, and to make himself respected and useful in the world. The resolution was formed in a hot fit of enthusiasm, but it was persevered in with cool courage, unflinching steadiness, and brilliant success. He was able to borrow books by the kindness of a friend of his father's who came to visit him. Bitterly regretting the opportunities of improvement which he had neglected at school and at college, he devoted a certain number of hours daily to the classics and to the best English writers, taking particular delight in Shakspeare's plays, although the acting of them had ceased, and they were not yet generally read. The rest of his time he devoted to the Year Books, to the more modern Reports, to the Abridgments, and to the compiling of a huge Common-place Book for himself, which might have rivalled Brooke, Rolle, and Fitzherbert. His mode of life was observed with amazement and admiration by his fellow-prisoners, who, knowing that he was a Templar, and that he was studying law night and day, concluded that he must be deeply skilled in his profession, and from time to time came to consult him in their own affairs, particularly about their disputes with their creditors. He really was of essential service to them in arranging their accounts, in examining the process under which they were detained, and in advising applications to the Courts for relief. They, by and by, called him the "Councillor," and the "Apprentice of the Law," and such as could afford it insisted on giving him fees for his advice. With these he bought the books which it was necessary that he should always have by him for reference. To add to his fund for this purpose, he copied and he drew law papers for the attorneys, receiving so much a folio for his performances. By these means he was even able to pay off some of the smallest and most troublesome of his creditors. Burnet, whose love of the marvellous sometimes betrays him into exaggeration, although his sincerity may generally be relied upon, says, that Pemberton "lay *many years* in gaol;" but according to the best information I have been able to obtain, the period did not exceed five years. He obtained his discharge by entering into a very rational arrangement with his principal creditors. After pointing out to them the utter impossibility of their being ever satisfied while he remained in custody, he explained to them the profitable career which was before him if he could recover his liberty, and he assured them of his determined purpose to pay them all every farthing that he owed them the moment that it was in his power to do so.'

Before his imprisonment he had become a member of the Inner Temple. On his release, he completed his terms and was called to the Bar, and rapidly rose into great business. In 1679 he was made a puisne judge of the Court of King's Bench. But after a year's experience he was found not sufficiently ductile, was degraded in 1680, and, at the age of fifty-

three, returned to the Bar. Scroggs became, however, intolerable to the public: it was thought necessary not only to dismiss him, but to give him a respectable successor; and in 1681 Pemberton was appointed Chief Justice of the King's Bench. Again, however, he disappointed his patrons. He would not promise his assistance in disfranchising the City of London, and in 1782 he was removed from the King's Bench to the Common Pleas. While Chief Justice of the Common Pleas, the Rye-House plot was discovered, and he was placed at the head of the Commissioners before whom the real and the supposed conspirators were to be tried. Again, however, he was found too fair for the last Administration of Charles the Second. He gave Lord Russell some chances of acquittal, was punished by dismissal from the Common Pleas, and had again to return to the Bar. It is to this dismissal that he owes his fame; for it is not as a judge, but as the leading counsel for the Seven Bishops that he is remembered. The courage, the skill, the learning, and the eloquence which he displayed in perhaps the most important trial that ever occurred in England, have secured to him what falls to the lot of few advocates,—a place in history.

They did not, however, secure to him the favour of the new Whig Government. Though he had not been servile enough for the Tories, he had been too servile for the Whigs,—at least they thought so. He was not restored to the Bench; and was even imprisoned by the House of Commons, as having been guilty of a breach of privilege in overruling, when Chief Justice, a plea that a committal had been made by the authority of the House. His imprisonment ceased with the prorogation of March, 1690. He must then have been in his sixty-fifth year. But such was his vigour of mind and body, that he resumed his labours at the Bar, and was counsel for Sir John Fenwick in 1696,—forty-six years from the time when he was called to the Bar.

Of the passages which Lord Campbell has quoted from his pleadings and his judgments, the most remarkable is the sentence which he pronounced on Plunket, the Roman Catholic Archbishop of Armagh,—a man whose conviction is one of the worst stains on English justice, and whose death was one of the worst crimes of Charles.

“ ‘ You have done as much as you could to dishonour God in this case; for the bottom of your treason was, your setting up your false religion, than which there is not any thing more displeasing to God or more pernicious to mankind; — a religion which is ten times worse than all the heathenish superstitions; the most dishonourable and derogatory to God and his

‘glory, of all religions or pretended religions whatsoever; for it undertakes to dispense with God’s laws, and to pardon the breach of them: so that, certainly, a greater crime there cannot be committed against God, than for a man to encourage its propagation. I do now wish you to consider that you are near your end. It seems that you have lived in a false religion hitherto; but it is not too late at any time to repent. I trust that you may have the grace to do so. In the mean time, there is no room for us to grant you any kind of mercy, though I tell you we are inclined to pity all malefactors.’

‘*Archbishop.* “If I were a man such as your lordship conceives me to be, not thinking of God Almighty, or heaven, or hell, I might have saved my life; for it has been often offered to me, if I would confess my own guilt and accuse others; but, my Lord, I would sooner die ten thousand deaths.”

‘*Chief Justice.* “I am sorry to see you persist in the principles of that false religion which you profess.”’*

That a Chief Justice from the Bench should thus have denounced a religion which, until only 150 years before, had been acknowledged by all Christendom, and was then acknowledged by three fourths of it,—to which we owe our comparative immunity from the cruelties, the superstitions, and the impurities of Paganism,—to which More had been a martyr, and which Pascal, Fenelon, and Bossuet then professed and adorned;—that he should have dared to proclaim such a religion ten times worse than the worst heathenism, is a proof of the intolerance of the speaker, and, we must add, of the audience, which nothing but a contemporary record would lead us to credit.

The first of Pemberton’s successors who deserves to be dwelt on is Holt, a name venerable in English jurisprudence. Lord Campbell prefaces his description of the merits which Holt possessed by a catalogue of the demerits which he did not possess. It is obviously drawn from long and varied experience, and our readers will be obliged to us for our extract from it.

‘According to the ancient traditions of Westminster Hall, the anticipation of high judicial qualities has been often disappointed. The celebrated advocate, when placed on the bench, embraces the side of the plaintiff or of the defendant with all his former zeal, and, unconscious of partiality or injustice, in his eagerness for victory becomes unfit fairly to appreciate conflicting evidence, arguments, and authorities. The man of a naturally morose or impatient temper, who had been restrained while at the bar by respect for the ermine, or by the dread of offending attorneys, or by the peril of being called to a personal account by his antagonist for impertinence,—when he is con-

stituted a living oracle of the law,—puffed up by self-importance, and revenging himself for past subserviency, is insolent to his old competitors, bullies the witnesses, and tries to dictate to the jury. The sordid and selfish practitioner, who, while struggling to advance himself, was industrious and energetic, having gained the object of his ambition, proves listless and torpid, and is quite contented if he can shuffle through his work without committing gross blunders or getting into scrapes. Another, having been more laborious than discriminating, when made a judge, hunts after small or irrelevant points, and obstructs the business of his Court by a morbid desire to investigate fully, and to decide conscientiously. The recalcitrant barrister, who constantly complained of the interruptions of the Court, when raised to the bench forgets that it is his duty to listen and be instructed, and himself becomes a by-word for impatience and loquacity.*

In order to diminish the chance of mis-selection, in every country except Great Britain, and the countries which have borrowed their institutions from us, the judges are taken, not from among the advocates, but from a class of men who have made the Bench, as distinguished from the Bar, their profession, who have generally been prepared for it by being first admitted to attend as assessors, and then intrusted by the court to draw up reports for its information, and who gradually rise from a lower to a higher seat in the judicial hierarchy.

This system has many advantages. Instead of entering late in life on new and arduous duties, the continental judge has been trained to them by practice and example. Since he is appointed for having displayed not forensic but judicial qualities, that he should disappoint expectation must be comparatively rare; and, lastly, the public purchases the services of an eminent lawyer by a moderate salary. The highest judicial officer in France receives only 1200*l.* a-year, while there are advocates who make 4000*l.* or 5000*l.* If it were necessary, as it is with us, to tempt a first-rate advocate, the salary must be at least doubled.

On the other hand, the foreign system degrades the Bar. It is reduced to a mere trade, without hope of the honours, the high station, and the dignified retirements which reward it with us. The profession of an advocate, therefore, is one which, on the Continent, no gentleman adopts. When we consider how vast is the trust which must be reposed in the Bar, this is an enormous evil. Again, it prevents the convenient ostracism by which a pre-eminent advocate may be removed from the scene of his triumphs. Many of those triumphs must be mischievous.

* Vol. ii. p. 134.

Many a wrong verdict is extorted from a jury,—many a judge is seduced into adopting plausible but unsound law,—by the eloquence, or the address, or the authority of a counsel of unrivalled powers among his contemporaries. To which it must be added that on trials by jury, in which the real judges are the jurymen, and the person called a judge is a mere assessor, qualities are required from the assessor different from those which are necessary to a single-seated judge. He has to point out to the jurymen what their verdict ought to be, and to lead them to adopt his views. This demands forensic talents and habits, and will be best effected by a man who has practised the arts of persuasion.

Holt had all the merits which could be expected or even desired in a judge selected under either system. Lord Campbell truly says—

‘ From his start as a magistrate he exceeded the high expectations which had been formed of him, and during the long period of twenty-two years he constantly rose in the admiration and esteem of his countrymen. To unswilled integrity and lofty independence he added a rare combination of deep professional knowledge, with exquisite common sense. According to a homely but expressive phrase, “there was no rubbish in his mind.” Familiar with the practice of the Court as any clerk, acquainted with the rules of special pleading as if he had spent all his days and nights in drawing declarations and demurrers, versed in the subtleties of the law of real property as if he had confined his attention to conveyancing, and as a commercial lawyer much in advance of any of his contemporaries, he ever reasoned logically, appearing at the same time instinctively acquainted with all the feelings of the human heart, and versed by experience in all the ways of mankind. He may be considered as having a genius for magistracy, as much as our Milton had for poetry, or our Wilkie for painting. Perhaps the excellence which he attained may be traced to the passion for justice by which he was constantly actuated. This induced him to sacrifice ease, and amusement, and literary relaxation, and the allurements of party, to submit to tasks the most dull, disagreeable, and revolting, and to devote all his energies to one object, ever ready to exclaim,—

“ Welcome business, welcome strife,
Welcome the cares of ermined life;
The visage wan, the purblind sight,
The toil by day, the lamp by night,
The tedious forms, the solemn prate,
The pert dispute, the dull debate,
The drowsy bench, the babbling hall,—
For Thee fair Justice welcome all.”

‘ The lustre of his fame in latter times has been somewhat dimmed by our being accustomed to behold judges little inferior to him; but

we ought to recollect that it is his light which has given splendour to these luminaries of the law. During a century and a half this country has been renowned above all others for the pure and enlightened administration of justice; and Holt is the model on which in England the judicial character has been formed.*

The merit which most struck the contemporaries of Holt was his conduct as a criminal judge. ‘The prisoner before him,’ said the *Tatler*, ‘knew that, though his spirit was broken with ‘guilt, and incapable of language to defend himself, his judge ‘would wrest no law to destroy him, nor conceal any that ‘would save him.’ When we recollect the insolence, the levity, the violence, the fraud, the corruption, and even the cruelty of the judges who immediately preceded him, mere impartiality would have been a glorious contrast; and in him it was united to great knowledge, intelligence, patience, and even kindness. The reports are full of testimonies to his candour. ‘Interrupt me,’ he said to Lord Preston, ‘as much as you please, if you think that I do not sum up right. I assure you I will do you no wrong willingly.’—‘No, my Lord,’ answered the prisoner, ‘I see well enough that your Lordship would not.’ One of the most remarkable of the private trials before him was that of Henry Harrison for the murder of Dr. Clenche. A woman with whom Harrison was intimate owed money to Clenche, and was threatened by him with legal proceedings. Harrison, assisted by an accomplice, who does not appear to have been detected, inveigled Clenche at night into a hackney-coach, drove about for an hour and a half, sent off the coachman on a message, and disappeared during his absence, leaving Clenche strangled in the carriage. After a long trial, and an unfavourable charge, he was convicted. When brought up for judgment, to the usual question, ‘What have you to say for yourself why judgment should not be given against you to die, according to law?’ he answered, ‘I must needs acknowledge that I have been tried before the best of judges, my Lord Chief Justice Holt. I expect no mercy here, and only humbly desire that I may have twelve days, in order to my better preparation for death.’ Such a testimony from a man whose conviction Holt had just actively promoted, and who had no longer any thing to hope or to fear, is remarkable. Lord Campbell, indeed, says —

‘It is observable, that even under Holt criminal trials were not always conducted with the regularity and forbearance which we now admire. For the purpose of obtaining a conviction when he believed the charge to be well-founded, he was not very scrupulous as to the means he employed. To the end of his life he persevered in what we

call "the French system," of interrogating the prisoner during the trial, for the purpose of obtaining a fatal admission from him, or involving him in a contradiction. Thus in the case, which made a noise all over Europe, of Haagen Swendsen, indicted capitally for forcibly carrying off an heiress and marrying her, the prisoner having asserted that, before he carried her off, she had squeezed his hand and kissed him, the Chief Justice asked, "If she was consenting, why then did you force her to the tavern and marry her by a person you had provided for that purpose?" the prisoner answered, "She married me with as much freedom as there could be in woman." But he was convicted and executed.*

A more remarkable instance occurs in the trial which we have already mentioned; and in which the prisoner, so interrogated, acknowledged, nevertheless, that he had been tried by the 'best of judges.' Harrison had set up an *alibi*, and had brought some persons to swear that he was in a tavern playing at cards from nine to half-past ten, the period during which the murder was committed. It had been proved that a little before nine o'clock that evening a Mr. Hunston had asked him to supper, and that he had refused, on the 'ground ' that a person was waiting for him in the street on a matter of 'business.' When the evidence had been gone through, the following dialogue between Holt and the prisoner took place:—

'*L. C. J.* "It behoves you to give an account of these things. First, why did you say that you were a parliament man? Secondly, why did you leave your lodgings and take other lodgings in Paul's Church-Yard? Thirdly, why did you say that you had extraordinary business? Give some account what your business was, and who that gentleman was that staid for you in the street. When Mr. Hunston desired you to stay and sup with him, what hindered you from accepting his invitation? Now we would have you to consider of these things, and give an answer to them, for it much concerns you so to do."

'*Harrison.* "My Lord, first, as to the first, I do declare, that I never went for a parliament-man, nor never said so; secondly, that night I was to go out of town I had left word at several coffee-houses that I was going out of town upon urgent business, and with above twenty people besides, that I was going out of town, and I was about to go to Basingstoke to a gentleman that owed me money, one Mr. Bulling; but I could not get money to go."

'*L. C. J.* "Prove that you were to go into the country."

'*Harrison.* "My Lord, I cannot prove that now, except I could have sent to Basingstoke."

‘*L. C. J.* “That you should have done before now ; why did you not stay with Mr. Hunston, when he invited you to sup with him ? You might have been better entertained there, than by going among strangers to play at cards for a penny a corner at an ale-house.”

‘*Harrison.* “My Lord, I was unwilling to stay, because he had strangers with him.”

‘*L. C. J.* “What if he had ? You are not such a bashful man that you could not sup with strangers.”

‘*Harrison.* “My Lord, Mr. Rowe was accused with me.”

‘*L. C. J.* “What if he was ? He was under some suspicion, and he hath made it appear where he was at the time the fact was committed, and now he is discharged.”*

But is this practice really objectionable ? It may easily be carried to excess, as it is in Germany, where a prisoner may be interrogated once or twice a week for years until the examinations fill folio after folio ; and as it is in France, where a trial often degenerates into a contest of skill between the judge and the prisoner, which must endanger judicial impartiality. But to the extent to which it was used by Holt, it appears to us to be one of the best means for effecting the two great objects of procedure, the manifestation of innocence, and the detection of crime. To an innocent man what can be more useful than that the judge should state to him the strong points in the case against him, should suggest to him the appearances which he has to explain, should point out to him the seeming discrepancies in his defence, and should do all this before the defence is concluded ? It must be done at the end of the trial ; and, supposing the prisoner to be innocent, it is far better for him that it should be done while he has still the means of answering. The more searching the inquiry the more probable it must be that truth will be the result. Of course, for this very reason, it is unfavourable to the guilty ; but to regret this would be to treat a trial as a solemn game, to be played out according to certain technical rules, invented for the purpose of prolonging the interest and keeping the issue uncertain.

With the lay world Holt's fame depends chiefly on his contests with the two Houses of Parliament. In resisting the House of Lords he was clearly in the right. They required him to give to them his reasons for having made a particular decision. ‘Let it be brought,’ he answered, ‘before your lordships by a writ of error, and I shall be bound, if you desire it, to state the grounds on which that decision rests, as I am bound to

' give my opinion on any other legal matter. But while my decision remains unappealed from I refuse to answer any questions concerning it.' The House of Lords prudently acquiesced; and as the decision itself related to a matter of no public importance, it is remarkable that Holt's conduct should have excited so much interest. 'The public,' says Lord Campbell, 'had strongly taken the side of the Chief Justice, and his health was given with enthusiasm at all public meetings throughout the kingdom.'

His contest with the House of Commons was of a different kind. He had most properly supported an action brought by Ashby, a burgess of Aylesbury, against the returning officer of the borough, for wantonly or corruptly refusing to admit his vote; and his judgment, though overruled in his own Court, had been maintained in the House of Lords. The Commons thereupon resolved, 'That the qualification of an elector is not cognisable elsewhere than before the Commons: that Ashby was guilty of a breach of privilege: and that whosoever shall in future commence such an action, and all attorneys or counsel soliciting or pleading the same, are guilty of a breach of the privileges of this House.' Several such actions were brought, and the plaintiffs were committed by the House to Newgate; the cause of commitment expressed in the warrant being, 'That they had been guilty of commencing and prosecuting actions of law for not allowing their votes in the election of members to serve in parliament contrary to the declaration, in high contempt of the jurisdiction, and in breach of the known privileges, of the House of Commons.' The prisoners sued out writs of habeas corpus in the Queen's Bench. The gaoler produced them, and in his return set out the warrant. Holt held that they ought to be set at liberty, on the grounds that the cause of commitment was clearly insufficient, and that, as it was expressed in the warrant, the Court was bound to take notice of its insufficiency, and therefore bound to treat the commitment as illegal. The other judges, however, held that they could not question the validity of a commitment by the House of Commons; so that the prisoners were remanded. Steps were taken to bring the decision of the Court of Queen's Bench, by writ of error, before the House of Lords; the Commons committed to Newgate the counsel who had argued in support of the application; and when the two Houses seemed likely to come into collision, the dispute was cut short and the prisoners set free by a prorogation.

Lord Campbell, though sympathising throughout with the courage of Holt, and approving his conduct on other points,

yet sides with the eleven judges as to the incompetence of the inferior Courts to examine into the sufficiency of a commitment by either House of Parliament. We shall not renew a controversy of which our readers must be tired: especially, as no converts can be now expected on either side, from any reasonings short of an act of parliament. We merely remark that Lord Campbell has not alluded to the arguments against, we will not now say the legality, but against the expediency and against the justice of general commitments, which we urged when the subject last came before us in our review of his *Lord Chancellors*, in April, 1846.* It appears, indeed, that he does not acquiesce in them, for he still considers it an honour that he introduced the practice.† Perhaps in a future edition, either of the *Lord Chancellors* or of the *Chief Justices*, he may do us the honour of answering them, if answerable they be.

Our limits warn us that we must compress. We have not dwelt therefore on Raymond, or on Lee, or on Ryder, or on Willes, or even on Wilmot. An interesting comparison might be drawn between the two last. Both were men of talent and learning, both rose to high power and distinction, and both might have risen still higher. Both, in fact, refused the Great Seal; and yet the ruling passions of the two men were not only different, but opposed. Willes missed the Chancellorship by vanity and ambition; Wilmot by modesty and timidity. Lord Campbell has briefly, but effectively, characterised each of them. We will extract his bold and judicious remarks on Wilmot: —

'We must place him far above those who have been tempted by ambition to mean or wicked actions, but we cannot consider his character as approaching to perfection — for he was more solicitous for his own ease than for the public good. By becoming a representative of the people, he might have materially assisted the House of Commons. By accepting the Great Seal, he would have rescued the country from the incompetence of Bathurst. He was deterred not by any misgivings as to his own qualifications, or by any dislike to the political principles of those with whom he was to be associated in the cabinet, but by morbid hatred of conspicuous position, and by selfish love of tranquillity. He did not shun political strife, that he might make discoveries in science, or contribute to the literary fame of his country. The tendency of the tastes by which he was animated is to make life not only inglorious but useless.'‡

'I now come,' continues Lord Campbell, 'to a man who, animated by a noble ambition for power and fame, willingly acted a conspicuous part for above half a century; who was a great benefactor, as well as ornament, to his own times; and

* Vol. lxxxiii. p. 336.

† Vol. ii. p. 164. note.

‡ Vol. ii. p. 300.

'whose services to a distant posterity will be rewarded by his name being held in honoured remembrance.' This is, of course, Lord Mansfield — the hero, and deservedly the hero, of Lord Campbell's biographies.

When high eminence has been reached, it is interesting not only to trace the course which has been pursued, but to inquire into the qualifications which enabled it to be pursued; to inquire what were the accidents of birth and education, what were the intellectual and physical powers, and what were the moral stimulants and restraints which drove the legal adventurer up the steep ascent, which lifted him over its precipices, and protected him from the dangers which beset as well those who press on too eagerly as those who linger in the race. Lord Mansfield himself attributed much to his birth and connexions. 'My father,' he said, 'was a man of rank and fashion, and early in life I was introduced into the best company: to these advantages I chiefly owe my success.*' Lord Campbell calls this an ebullition of aristocratic insolence. 'The son,' he says, 'of an eminent attorney had an infinitely better chance of succeeding at the Bar, and of reaching the highest dignities in Westminster Hall, than the son of a poor Scotch peer, of descent however illustrious.' As respects mere success at the Bar, we agree with Lord Campbell. The influence of attorneys and the great, and, we are sorry to say, the increasing nepotism, or fili-ism, which they naturally obey, give enormous early advantages to those who are allied to them. But men so connected and so pushed on, seldom attain high political, or even high judicial distinction. Early habits of business give them great adroitness and great familiarity with the details of law. They master the abstruse learning of 'Practice,' as a child masters a language, before they are old enough to be disgusted by its arbitrary intricacies and refinements. But a youth so employed seldom admits the acquisition of much political or philosophical knowledge. It generally stifles the wish for such knowledge. It is equally unfavourable to the habits, and manners, and language which fit a speaker to charm or to rule the fastidious audience of the Upper, or indeed of the Lower House of Parliament. When William Murray entered the House of Commons, he had studied, with a diligence which always must be rare, but now we fear is unheard of, the greatest works of the greatest masters of eloquence and style. He was familiar with ancient and modern history. He had learned ethics in Cicero, international law in Grotius, and jurisprudence in what was then its principal

* Vol. ii. p. 302.

'repository—the *Corpus Juris Romani*. He had drunk champagne with the wits. Pope was his intimate friend, and he must have been familiar with the ornaments of the brilliant circles which formed what has been called our Augustan age. He had a fine person, and the most precious physical gifts that Nature can confer on an orator—vigorous health, and a clear, powerful, and pleasing voice. To all this must be added, the *prestige* of high birth, and the ease and confidence which that happy accident generally confers. His ruling passion was ambition; not the vulgar desire of high place, which led Didius to purchase the Empire; not the higher, but still selfish desire of power for its own sake, which has been the usual motive of usurpers and tyrants,—but a wish, and, so far as it depended on himself, a determination, to obtain the means of conferring great benefits on mankind, and of earning great fame for himself,—a passion which, like every other passion, may be inordinate and may be ill-directed, but is perhaps the noblest by which the human heart can be expanded. To these great qualities must be added, unwearied, well-directed, and well-regulated diligence, and consummate prudence. To talents and advantages which would have given success to an idle man, he joined labour which would have made the fortune of a dull man. And he steered through the dangers of official life with a dexterity which is found only where there exists the rare combination of acute intellect, strong will, and cool passions.

We have said that Lord Mansfield's ambition was noble, but we must admit that it was mixed with humbler impulses. He was fond of money and of rank. He wished to be the founder of a great family. These are motives which, unless they are improperly powerful, unless they lead to some form of immorality, the strictest moralist ought not to condemn. That they sometimes did mislead Lord Mansfield we feel is true; this was not, however, in his judicial but in his political capacity. From the time that he became solicitor-general, in 1742, till the accession of William Pitt, in 1784, he acted with almost every successive administration. He withdrew, indeed, his support from Lord Rockingham and from Lord Shelburne; and though he sat in the same cabinet with the elder Pitt, he was one of the members whose opposition arrested the triumphs of the greatest war minister that England has ever known. These are significant exceptions from the general rule. They show what was the current of his politics. It is impossible to suppose that a man of his knowledge and sagacity conscientiously supported a set of the worst administrations under which the country has ever suffered, and conscientiously opposed some of

the best. The love of place and of patronage must have bound him to the Duke of Newcastle, Lord Bute, and Lord North. It would have been well for his fame, perhaps for his happiness, had he failed in extorting a peerage from George II. If, like his great predecessors—Rolle, Hale, and Holt—he had abandoned political when he entered on judicial life, his splendour as a judge would not have been tarnished by his narrow-minded subservience as a statesman.

Without disguising, or even extenuating, Lord Mansfield's political defects, Lord Campbell has wisely left that part of his character in shade, and dwelt on his legal merits. Before proceeding to details, he gives this outline of what Lord Mansfield had to do, and did.

' He formed a very low, and I am afraid a very just, estimate of the Common Law of England which he was to administer. This system was not at all badly adapted to the condition of England in the Norman and early Plantagenet reigns, when it sprang up, land being then the only property worth considering, and the wants of society only requiring rules to be laid down by public authority for ascertaining the different rights and interests arising out of land, and determining how they should be enjoyed, alienated, and transmitted from one generation to another. In the reign of George II. England had grown into the greatest manufacturing and commercial country in the world, while her jurisprudence had by no means been expanded or developed in the same proportion. The legislature had literally done nothing to supply the insufficiency of feudal law to regulate the concerns of a trading population; and the Common Law judges had, generally speaking, been too unenlightened and too timorous to be of much service in improving our code by judicial decisions. Hence, when questions necessarily arose respecting the buying and selling of goods,—respecting affreightment of ships,—respecting marine insurances,—and respecting bills of exchange and promissory notes, no one knew how they were to be determined. Not a treatise had been published upon any of these subjects, and no cases respecting them were to be found in our books of reports,—which swarmed with decisions about lords and villeins,—about marshalling the champions upon the trial of a writ of right by battle,—and about the customs of manors, whereby an unchaste widow might save the forfeiture of her dower by riding on a black ram and in plain language confessing her offence. Lord Hardwicke had done much to improve and systematise equity,—but proceedings were still carried on in the courts of Common Law much in the same style as in the days of Sir Robert Tresilian and Sir William Gascoigne. Mercantile questions were so ignorantly treated when they came into Westminster Hall, that they were usually settled by private arbitration among the merchants themselves. If an action turning upon a mercantile question was brought in a court of law, the judge submitted it to the jury, who determined it according to their own notions of what was fair, and no

general rule was laid down which could afterwards be referred to for the purpose of settling similar disputes.

'The greatest uncertainty prevailed even as to the territories over which the jurisdiction of the Common Law extended. The king of this country, from having no dominions annexed to his crown of England, except Ireland, the Isle of Man, and the islands in the English Channel — a remnant of the Duchy of Normandy.—had become master of extensive colonies in every quarter of the globe, so that the sun never set upon his empire. Some of these colonies had been settled by voluntary emigration, without any charter from the Crown ; some had been granted by the Crown to be ruled under proprietary governments ; some had received charters from the Crown constituting legislative assemblies ; some had been ceded by foreign states under conditions as to the observance of existing laws ; and some were unconditional conquests. Down to Lord Mansfield's time, no general principles had been established respecting the laws to be administered in colonies so variously circumstanced, or respecting the manner in which these laws might be altered. He saw the noble field that lay before him, and he resolved to reap the rich harvest of glory which it presented to him. Instead of proceeding by legislation, and attempting to *codify* as the French had done very successfully in the *Coustumier de Paris*, and the *Ordinance de la Marine*, he wisely thought it more according to the genius of our institutions* to introduce his improvements gradually by way of judicial decision. As respected commerce, there were no vicious rules to be overturned, — he had only to consider what was just, expedient, and sanctioned by the experience of nations further advanced in the science of jurisprudence. His plan seems to have been to avail himself, as often as opportunity admitted, of his ample stores of knowledge, acquired from his study of the Roman civil law, and of the juridical writers produced in modern times by France, Germany, Holland, and Italy,— not only in doing justice to the parties litigating before him, but in settling with precision, and upon sound principles, a general rule, afterwards to be quoted and recognised as governing all similar cases. Being still in the prime of life, with a vigorous constitution, he no doubt hoped that he might live to see these decisions, embracing the whole scope of commercial transactions, collected and methodised into a system which might bear his name.' †

* We are far from sharing in the horror with which some jurists uniformly speak of judge-made law. To a great extent, judge-made law must often be the least of two evils. But it is a question of degree ; for surely there is no rule in political organisation more important than that which draws a line between the province of a legislator and the province of a judge : and it is not easy to understand what there is in the *genius of our institutions* which should either require us or entitle us to disregard it.

† Vol. ii. p. 402.]

After awarding in detail to Lord Mansfield due honour as the founder of the laws which now regulate insurance, paper currency, freight, and the government of the dependencies of the Crown, Lord Campbell comes to his decisions on real property. As a veteran lawyer he could scarcely avoid treating of Perrin and Blake, a case which had the merit or the demerit of giving rise to the most learned, the most ingenious, and the most disagreeable book which a student has to encounter—*Earne on Contingent Remainders*.

By the will which produced this celebrated case, a testator, after declaring an intention that his devise should not have power to affect the devised estate beyond the devisee's own life, gave his property to his son John during his life, and, after his death, to the heirs of his body. If, instead of the words 'heirs of his body,' he had said 'to his first and other sons successively in tail, and, in default of such issue, to his daughters as coparceners in tail,' he would have used the proper words for effecting his intention: the son would have taken only for his own life; and the children of that son would have succeeded to the inheritance independently of their father, or, in legal language, by purchase. But according to a rule of law, called the rule in Shelley's case, where land is given to a person for life, and, after his death, to the heirs of his body, the latter words coalesce with the former words,—they are held to be a mere extension of the devisee's interest; and he is tenant in fee-tail, and may, by going through certain forms, become tenant in fee-simple; or, in other words, absolute owner.

Another rule of law, far more important than the rule in Shelley's case, is that in the interpretation of wills the intention of the testator, so far as it is manifest, is to be carried into effect—whatever lie the technical terms which he has applied or misapplied. If, for instance, a testator were to say, 'I give my property to my son John in fee-simple, my intention being that he shall have it only during his life, and that, on his death, it shall belong to his brother Tom,' there is no doubt that notwithstanding the erroneous introduction of the words 'in fee-simple,' John would take only for his life. When Perrin and Blake came before Lord Mansfield, he had to decide between these conflicting principles. If he carried into effect the manifest intention of the testator, he broke through the rule in Shelley's case. If he adhered to the rule in Shelley's case, he broke through the rule that a will is to be interpreted according to its manifest meaning:—

'The universal opinion,' says Lord Campbell, 'of lawyers now is, that Perrin and Blake should at once have been determined in con-

formity to the rule in Shelley's case, which had long been acquiesced in and acted upon. But unfortunately, Lord Mansfield, being intoxicated by the incense offered up to him, or misled by an excessive desire of preferring what he considered principle to authority, took a different view of the construction of the will, and resolved that John should be considered as having taken only an estate for life.*

The most important sentences in Lord Mansfield's judgment are these:—

'The law having allowed a free communication of intention to the testator, it would be strange to say to him, "Now you have communicated your intention so that everybody understands what you mean, yet, because you have used a certain expression of art, we will cross your intention, and give to your will a different construction, though what you meant to have done is perfectly legal, and the only reason for contravening you is, that you have not expressed yourself as a lawyer." My opinion is, that the intention being clear, beyond doubt, to give an estate for life only to John, and an inheritance to be taken successively by the heirs of his body, and this intention being consistent with the rules of law, it shall be complied with, in contradiction to the legal sense of the words used by the testator so unguardedly and ignorantly.'†

Lord Mansfield's judgment was reversed in the Exchequer Chamber: Lord Campbell tells us, and we bow to his authority, that the universal opinion of lawyers now is, that it was properly reversed. And yet we must own that we are inclined to support it. Without doubt it was opposed to some previous decisions. The rule in Shelley's case had been applied to wills where it was manifest that the testator, if he had known of its existence, would have protested against its application. But if Lord Mansfield had submitted to be bound by precedent, he would not have effected the great legal reforms for which we venerate his name. He openly proclaimed, in Somersett's case, that he cared not for the authority of judges, however eminent, if it were contrary to principle. 'We do not sit here,' he said on another occasion, 'to take our rules of evidence from Siderfin and Kebble.' 'It was he,' says Lord Brougham, 'who reversed the decision of the Court of Session upon the celebrated Duntrath case,' and honour due is accorded to the example set by his 'salutary courage.' Why, then, was he bound to take his rules of construction from Shelley's case or from Coulson's case, if they were clearly absurd? If they were such that, although proclaiming that there is no magic in words,—although

avowing that the intention of the testator is the only rule of interpretation,—they yet interpreted wills so as to give absolute uncontrolled interests to those to whom he intended to give only a limited enjoyment, and so as to exclude those who were, perhaps, the principal objects of his bounty. Of course, departure from precedent is an evil, but departure from common sense is a much greater one; and there is probably nothing which more shocks public feeling, which tends more to make men treat the civil law as a solemn farce, played for the benefit of lawyers, or which more demoralises the proprietary classes, by teaching and enabling them to seize or to retain property which they well know that they were not intended to have, than these technical misinterpretations of plain expressions. They have always, however, been the favourites of lawyers. They produce what are called strong, striking, leading cases—cases which, from their very unreasonableness, are easily remembered, and which, from the length to which they go, authorise by analogy a vast number of minor absurdities.

Whatever, however, after the lapse of nearly a century may be thought of Lord Mansfield's decision in Perrin and Blake, it is certain that at the time it injured his legal reputation. His directions to the juries who had to decide on the libels of Junius injured it still more. In Perrin and Blake he had overruled precedent to support principle: in *Rex v. Woodfall* and *Rex v. Miller*, he supported precedent to the utter destruction of principle.

If there be any one institution on which the liberties of England peculiarly depend, it is the power which is always given to juries, and consequently the duty which is sometimes imposed on them, of pronouncing a general peremptory acquittal. If they were merely empowered to find facts, leaving the law on those facts to be declared by the court, the crown, or at least the judges appointed by the crown, would, on any pretence, be able to crush an obnoxious agitator. Supposing that mere words could ever make a traitor,—O'Connell, in that case, might have been convicted of high treason on evidence that he attended a public meeting and called his hearers ‘hereditary bondsmen.’ The jury would have had only to find, that he was present at the meeting, that he said the words, and that those words alluded to the Irish people: it resting solely with the court to decide whether the pronouncing such words, so alluding, did or did not constitute treason. Yet this was the law laid down by Lord Mansfield in cases of libel. In *Rex v. Woodfall* he told the jury that all they had to consider was whether the defendant had published the letter set out in the information, and whether the innuendos, imputing a particular meaning to particular words,

as that 'the k—' meant 'his Majesty King George III.,' were true; but that whether the letter were libellous or innocent, was a pure question of law, for the opinion of the court. In *Rex v. Miller* he said, 'Under the full conviction of my own mind that 'I am warranted by the uniform practice of past ages, and by 'the law of the land, I inform you that the question for your 'determination is, whether the defendant printed and published 'a paper of such tenor and meaning as is charged by the inform- 'ation? If you find the defendant not guilty, you find that 'he did not print and publish as set forth: if you find him 'guilty, you find that he did print and publish a paper of the 'tenor and meaning set forth in the indictment. Your verdict 'finally establishes that fact; but you do not, by that verdict, 'find whether that production was legal or illegal.'*

We have already admitted that these monstrous doctrines were supported by authority. We do not accuse Lord Mansfield of judicial corruption in any of its forms. We do not think that any motive would have induced him to deliver from the bench any thing which he did not conscientiously hold to be law. What we blame, or, rather, what we pity, is the political ignorance or the political prejudices which led him to believe that it was just and expedient that the law should be such as he laid it down. He must have believed it to be right, to be conducive to the welfare and good government of England, that nothing should be published which the ministers of the Crown, or the judges appointed by those ministers, disapprove. He must have thought it just and expedient that the Press should be submitted to an *ex post facto* censorship, and that fine, imprisonment, and pillory should be employed as evidences of the censor's disapprobation. We say that he must have thought all this just and expedient, because had he thought otherwise he would not have allowed it to continue to be law. To Lord Mansfield authority was a support, but not a restraint. When he thought that the interest of the public required it, he broke its chains as if they had been threads. If he had felt towards the liberty of the press as every man of every shade of political opinion now feels, he would have disclaimed with indignation the unconstitutional authority which Raymond and his immediate successors had usurped, and which Lord Ellenborough a very few years afterwards so emphatically disclaimed, both for Lord Kenyon and himself.†

* Cited, vol. ii. p. 480.

† On the trial of Cobbett in 1804, Lord Ellenborough commenced his summing up, as follows: — 'I never doubted that an English jury had

We now part again from Lord Campbell — grateful for many hours of interest, pleasure, and instruction, and regretting only that he has not thought fit to give to us all that he has prepared for us. We do not believe that the descendants of the great Judges who succeeded Mansfield are so morbidly sensitive as to be unable to look with pleasure on faithful portraits of their ancestors. Lord Campbell does not flatter, but he is perfectly candid. His leanings seem generally favourable to his sitters. He delights in bringing out their courage, their justice, their generosity, their learning, and their acuteness; in short, all their moral and intellectual excellencies. That he should be equally honest in marking their defects is what would have been required by themselves, and we trust would not be regretted by their friends.

ART. VI.—*Foreign Reminiscences.* By the late Lord HOLLAND. London: 1850.

WE welcomed the very announcement of this little volume with sincere pleasure. It could not have been otherwise. To all lovers of their country any accession to the history of Europe, which recalled to their memory one who had so long been an ornament to our Parliament and to our society, could not but be acceptable. To those who recognised in the consistent political career of Lord Holland, an ardent love of liberty, a hatred of oppression, and an unwearied and manly advocacy of religious toleration, a posthumous work from his pen could not fail to be an object of singular interest. Still more welcome must such a publication be to those who had enjoyed the privilege of the author's social intimacy, and who remembered with grateful respect the varied delights of his animated conversation; his wit, untainted by bitterness or sarcasm; his humorous pleasantry, guided by good sense and wisdom, and raised above vulgar irony or personality; his literary taste and discriminating memory, freed from all formalism or pedantry; and the still higher qualifications of an unfailing flow of genial good humour, and graceful and hearty benevolence which seemed to create, and to rejoice in, the happiness

' the right of judging in these cases, not only of the fact and publication, but also of the nature and construction of the thing published: ' and the noble person, whose place I so unworthily fill, entertained ' the same sentiments.' (*State Trials*, xxix. 49.) Such too had always been the law of Scotland.

of all who surrounded him. The brightness of the sunshine on his beautiful terrace, the brilliancy and the perfume of the flowers in his garden, the song of his nightingales, and the memory or the society of those who, from the days of Addison, to those of Rogers, had added the charm of their accomplishments to all that was most captivating in the beauties of Nature, would still have been but imperfect and incomplete without Lord Holland himself.

We should be sorry not to have known — we should grieve to have forgotten — that gallery, in which the luxuries of modern refinement were united with the picturesque architecture of past times — where the literary treasures of the library were rivalled by the intellectual wealth possessed and lavishly expended by Lord Holland and his guests, and where decorations, more precious than mere works of art, recalled the features of that honourable band of statesmen who fought the battles of liberty against fearful odds. We remember with delight the distinguished persons who frequented that brilliant circle, rendering Holland House European, though not on that account less English. Yet even when that circle included such men as Talleyrand, Pozzo di Borgo, Guizot, de Broglie, Alava, Washington Irving, Everett, Arguelles, Czartoryski, together with those who were most illustrious in the annals of our home politics, and in science, literature, and professional eminence, it was still Lord Holland, — with his frank greeting, his gracious and benevolent smile, his free and cheerful courtesy, his ready wit and eager gush of conversation, which made the real centre of attraction, bringing together, and, what is more difficult, keeping together, all that was most agreeable and most distinguished in the society of London and of the principal European capitals. Powers of conversation, the strength of which was only to be equalled by their gentleness, an appreciation of all that was deserving, either in performance or in promise, a vivacity which never lost itself in levity, a consideration for the opinions of others, never shown by any unbecoming sacrifice or concealment of his own, a love for his country, with its peculiar characteristics, opening out into an expansive love for mankind, encouraging foreigners to cherish him as a brother; — all these endowments, and qualities, were essential elements of his noble nature, which, in their happy combination, we never have seen equalled, and which it is not likely those who succeed us can see excelled.

It was with these feelings that we saw the first announcement of this publication; we confess it is in this spirit that we have read it. Our readers will perhaps think that this admis-

sion may incapacitate us for discharging faithfully our functions as critics. We are far from considering such an inference to be necessarily correct. On the contrary, we are persuaded that the very prepossessions which we feel, and have endeavoured to describe, have been disadvantageous, rather than favourable, to the author. Had the work been anonymous, or had it proceeded, like many of those innumerable books, mis-called histories, from the Palais Royal or the quays of Paris, we are inclined to think that a more favourable judgment might have been formed of it, than when every sentence, nay, almost every line, is weighed against the high reputation of the author, and the anticipations of readers like ourselves. In this respect too the critical world, commonly so called, is often unjust. They judge a work not absolutely, but relatively. They condemn it because it does not reach a certain standard which they have gratuitously raised. Nay, they often condemn an author less in reference to the intrinsic merit of the work under their review, than in relation to his former performances. If Vimeira and Talavera had succeeded Waterloo, these critics would scarcely condescend to call either battle a victory. They cast aside Ivanhoe, because they have given their first love to Waverley. In an old and neglected library we once chanced to turn over the volumes collected by Lady Mary Wortley Montagu, arranged by her own hand, and illustrated by her own marginalia. In the first volume of 'Amelia' is recorded the following judgment:—‘Superior to any one else, but inferior to Mr. Fielding.’ Thus it is that we are apt to require a climax in all things. Rejecting the rule of the Italian sonnet which recommends rather a calm repose, than a point and epigram, in the concluding line, we ask that the last chords of our opera should be accompanied by double drums and the burst of a brass band, and that our curtain should drop before the gold and tissue, the waving wings, and the flowery garlands of a modern ballet.

We have hitherto spoken of the risks which an author's fame must run in consequence of the over-wrought expectations of his friends. But dangers of an opposite kind are likewise in store for a writer who has taken a leading part in contemporaneous party contests. These dangers are indeed obvious, and against them all candid and impartial readers will feel bound to guard themselves. Has the author been a frank and chivalrous friend to liberty, and perhaps to those whom he considers to have loved liberty, if not wisely, yet too well? Men whose minds have dwelt exclusively on the errors, and perhaps we may add, the crimes, which have been committed in the name of Liberty, will lay hold of every expression, every chance word, which by

a perverted ingenuity can be tortured into a false application, or can be extended to general conclusions never contemplated by the author.

To judge fairly the writings and the opinions of any author, and more especially of one who writes not only with entire frankness, but with vehemence, it is indispensable to read his argument with the general context of his character. From a neglect of this canon of criticism great mistakes are made, and gross injustice is committed. We know few stronger examples of this, than the vulgar opinions passed upon Edmund Burke. How often do we find that great man reproached with glaring inconsistency. How often is his love of liberty in America, contrasted with his defence of the aristocracy in France. How strongly is the somewhat overdrawn description of the follies and extravagance of an ancient monarchy as depicted in his noble speech on economical reform, held up in opposition to his defence of the Court of Versailles, and of the elegant profusion of the Petit Trianon. How easy is it to suggest a seeming opposition between his love of religious liberty, and his enthusiastic sympathy even for the petit collet of a French abbé. Now throughout all the vicissitudes of Burke's opinions a more sound observer will trace two ruling and predominant principles,—the hatred of oppression, and the desire to protect the oppressed. These governed him in defending the independence of America, in impeaching Hastings, in pleading the cause of the Roman Catholics and of Ireland, and in throwing the full weight of his character and his abilities into the scale opposed to the tyranny of the French Jacobins. To one key-note he faithfully returned, however varied had been his modulations. We do not say that he always applied his great principles with prudence. Indeed his mind, when excited, was incapable of moderation. He does not seem to have understood that there are few propositions to which it is not indispensable to assign definite limits, and that the exaggerated enunciation even of an unquestionable truth, may at times produce more mischief than a falsehood itself.

The duty we have thus endeavoured to enforce—the reader's duty,—that of applying to a text the commentary of the author's principle, in order to judge his meaning fairly,—is especially necessary in relation to Lord Holland.

A love of liberty, and consequent hatred of all oppression, and sympathy with all misfortune, governed him throughout. These elements formed the lens through which he viewed all objects; and we do not deny that, in certain cases, those objects were somewhat distorted, and occasionally discoloured by the

medium thus interposed. From this danger, more dispassionate, and we may add more commonplace, minds would have been exempt. But if he had been more cautious and worldly, much of the attractiveness of his character would have been lost. In his sympathy for misfortune he could not bring himself to remember the offences of the unfortunate. In his love for freedom he failed in some cases to dwell on the crimes of those who adopted 'liberty' as their watch-word. He felt that 'he who defends oppression, shares the crime.' Thus, he frequently took an imperfect view of things, and formed an incomplete estimate of character; — neglecting to strike a balance like a prudent calculator, from his very anxiety to supply what had seemed to him to have been wanting in others. He rushed to the defence of the defenceless, with all the force that belonged to himself and to his race. Under these noble impulses, — careless of misrepresentation, and despising all dangers on the one hand, and all vulgar popularity on the other, — he raised his voice for Lafayette at Olmütz, and for Napoleon at St. Helena. We believe he would have done nearly the same, had the Archduke Charles been in the Bieêtre, or Marshal Suvarrow in the Conciergerie, provided they were victims of tyranny or sufferers for their opinions.

But our attachment to the author is delaying us unreasonably from the consideration of his work. The period included in Lord Holland's narrative extends from the year 1791, to the death of Napoleon, in 1821. The Reminiscences are far from giving any history, or even any sketch of the events of those eventful years. The author neither claims to be an historian nor a biographer. He neither exhibits to us a series of historical pictures, nor a gallery of portraits. He enters upon no philosophical analysis of the causes of those stupendous events which began with the French Revolution, and seemed to have closed at Waterloo. No light is cast which enables us to view future events more clearly. Neither is our knowledge of the general condition of the people, in those parts of Europe which Lord Holland visited, much extended. But this is no more than to say distinctly, that these reminiscences do not perform that which they never promise. What they do give us is a succession of lively and agreeable anecdotes, in some cases explaining interesting though detached facts, — in others supplying individual traits of character. We could have wished that Lord Holland had favoured us with a little more of 'personal narrative'; — we venture to retain the designation notwithstanding the doubt implied in Lord Wellesley's question, whether the title of 'personal narrative' was pure and idio-

matic English, — a doubt evaded rather than overruled by the wit of Lord Plunkett's answer; — ' we lawyers, are the last persons who ought to condemn the title as applied to modern travels; for we use the word personal in opposition to real. Had this volume been more personal, had more of himself in it, we are convinced it would have been more real also. Lord Holland would have been more happy and more entertaining, in describing his own views and impressions, than in making himself the mere chronicler of the sayings of others. We could also have wished that his attention had been less exclusively diplomatic. Kings, princes, statesmen, and generals are, it is true, the pieces on our political chess-board, and our honours are sought among the court cards. It is not upon them, however, that the success of the game exclusively depends; the pawns should not be altogether overlooked. That this omission should appear in a work of Lord Holland's surprises us, for his warmest sympathies were given to the people. The too exclusive character of his Reminiscences leads to another unpleasing result. Unquestionably, if we seek for real elevation of mind, and an approach to the heroic or the chivalrous, it is not among the continental sovereigns or statesmen, at the close of the last century and at the commencement of the present, that such excellencies are discoverable. Anecdotes selected from that class, and at that period, illustrate generally the less attractive parts of our nature, and would seem brought together to prove little more than

' How all prime ministers are odious things,
And reigning dukes are quite as bad as kings.'

Many of the facts recorded in these pages are not only painful but repulsive, — resembling anatomical preparations exhibited as specimens of morbid humanity in a surgical school, rather than any picture of healthy life. This, it should however be observed, is more the fault of the subject than of the painter. Only we must be so much the more careful to avoid generalising on so partial a collection of facts. It may indeed frequently be useful to hold up to public odium and contempt those who, being entrusted with power and placed in high station, are unconscious of the responsibility, and of the duties, which that power entails on its possessors. It may be useful also to remind the worshippers of Fortune that their idols are too often formed of base metal; — but it would be alike unwise and unjust to hold up these degraded characters as true exponents of the class to which they belong; and it would be still more unjust to consider them as fair specimens of the social system of which they form only a part. To us, as British subjects, such pictures

produce but little comparative danger. With the religious and moral feeling of the country and its free institutions — no less salutary in their influence on the character of sovereigns and statesmen, than conducive to their true happiness and to the maintenance of their legitimate authority — we are safe ; and are taught, by contrast, to appreciate more justly the blessings we enjoy, and the incalculable worth of a virtuous as well as a constitutional monarchy.

The first visit of Lord Holland to the Continent of Europe was in 1791, when he made a journey to France. Born in November, 1772, he could not have acquired the necessary experience to enable him to pass a fair judgment, either on men or events. This he frankly states :— ‘ I was a mere boy, and too little acquainted with the habits and manners of the people to observe much.’ (P. 2.) This admission should be borne constantly in mind ; more especially in his observations on the early stages of the French Revolution, and on the persons engaged in the events of those fearful days. Indeed, so far is Lord Holland from requiring us to give him an unhesitating confidence, that he puts his readers specially on their guard. ‘ As a foreigner, however favourable his opportunities or sound his judgment, seldom relates any English event, or describes any English character, without committing some gross blunder, I speak myself, with the reflection, that I also must be liable to be misled by false information, or to form an erroneous estimate of manners, opinions, and transactions out of my own country. I can only vouch for the anecdotes I record, by assuring my readers that I believe them, and repeat them as they were understood and received by me, from what appeared sufficient authority.’ (P. 1.) It is therefore obvious, that if doubts may be suggested with respect to the accuracy of some of the anecdotes contained in this volume, our mistrust applies to Lord Holland’s informants, not to himself.

The sketch given of Mirabeau was evidently drawn before the publication of the ‘ Souvenirs,’ by Dumont. The general testimony of this most excellent person is somewhat undervalued by Lord Holland. Whilst admitting, as he would have been the last man to question, the scrupulous truthfulness of Dumont, Lord Holland adds, that ‘ he was, by his own admission, a very inob-servant, and by his (Lord Holland’s) experience, a very credulous man.’ (Notes, pp. 2. 4.) Yet, while doubting Dumont, Lord Holland adopts without scruple the authority of Talleyrand. This preference we much question : in matters coming within his personal observation we have no hesitation in setting the credit of the Genevese *bon-homme* and philosopher greatly

above the credit of the astute and unscrupulous diplomatist and ex-bishop. The origin of an admirable *bon mot*, no less characteristic of Mirabeau's vanity than of Talleyrand's wit, though vouched by Dumont and many others, is by Lord Holland brought into question. When Mirabeau was describing in great detail, and with his accustomed eloquence, all the high qualities requisite for a great minister of France in a time of crisis, — merits which the orator evidently considered to be united in himself, — ‘All this is true,’ a friend replied, ‘but you have omitted one of his qualifications.’ — ‘No, surely; what do you mean?’ ‘Should he not also,’ added the same sarcastic questioner, ‘be pitted with the small-pox?’ thus identifying the picture as the portrait of the painter. It is hardly possible to doubt that this was a reply of Talleyrand, — ‘aut Erasmi aut diaboli;’ and we receive it on its internal evidence no less than on the authority of Dumont.

We have already quoted Lord Holland's authority to prove that he was conscious of the possibility of being misled by the evidence of others. We cannot help thinking that examples of this may be traced in some of the remarks he makes on the character of Louis XVI. and Marie Antoinette. The scene in the Legislative Assembly, when the King made his declaration in favour of the constitution, is well described. The memorable words, ‘Je l'ai acceptée et je la maintiendrai, dedans et dehors,’ were delivered in a clear but tremulous voice with great appearance of earnestness. Lord Holland was fortified in his enthusiastic persuasion that Louis was seriously attached to the new constitution. We believe he was right. Yet he afterwards asserts that the King was ‘at that very moment, if not the main instigator, a coadjutor and adviser, of the party soliciting foreign Powers to put down that very constitution by force.’ (P. 14.) If this were true, baseness and perfidy could hardly have been carried further. It is with surprise and regret that we find this charge made in the text, more especially when we are informed in a note, evidently written long after, that ‘Lafayette, and some others concerned in the events of those days, even now acquit Louis XVI. of all participation in the plan for invading France.’ Lord Holland adds: ‘I have no private knowledge on the subject whatever.’ It is true that he refers, though very vaguely, to public documents, in support of his assertion. We presume he had in mind the mission of Mallet du Pin, and the documents published by Bertrand de Molleville (pp. 8—37.); but these are far from confirming his assertion. The great object of Louis was to avert a civil war; and he seemed almost as much to fear the emigrants, as he feared the

Jacobins. We are both unable and unwilling to adopt the unfriendly judgment which we think is here too rashly pronounced.

Neither do we see any reason to impute vanity as one of the bad qualities of Louis XVI. The imputation rests upon no stronger foundation than his supposed want of confidence in his ministers. May we not find a more natural solution of this, in the fact that these ministers, forced upon him by circumstances, were undeserving of his personal confidence? One anecdote is indeed given in relation to the dismissal of M. de Calonne, which attributes the fall of that minister to a court intrigue of the Queen. Is it not at the least as probable that a vain minister, turned out of office, should have cast the responsibility on an unpopular queen, rather than admit a cause derogatory to his own self-importance and painful to his self-love? Mignet, no mean authority, attributes the fall of M. de Calonne to very different causes. ‘*L’Assemblée des Notables*,’ he observes, ‘découvrit des emprunts élevés à un milliard six cents quarante-cinq millions, et un déficit annuel de cent quarante millions. ‘*Cette révélation fut le signal de la chute de Calonne.*’

The story told of the King’s supposed brutality to Marie Antoinette, his rebuke to her for meddling with matters, ‘aux-quelles les femmes n’ont rien à faire,’ and finally the coarseness of ‘taking her by the shoulders and turning her out of the room like a naughty child,’ is, to say the least of it, highly improbable. But that such forgetfulness of all propriety and decorum should have taken place in the presence of a third party, and that party M. de Calonne, a man of courtly manners and address, seems incredible. The reply of that statesman to an intimation from Marie Antoinette that she had a request to make, was, ‘Madame, ‘si c’est possible, c’est fait; si c’est impossible, cela se fera,’ indicates the character of the ‘ministre courtisan,’ who would have been the last person permitted by Louis XVI. to be a witness to acts of courtesy towards a woman and a queen.

But Madame Campan furnishes us with conclusive evidence that M. de Calonne, on whose testimony Lord Holland relies, could not be considered otherwise than as a witness influenced by the most malignant feelings against the Queen. She tells us ‘la reine avait acquis la preuve que ce ministre était devenu son plus cruel ennemi. *Je puis attester que j’ai vu dans les mains de la reine un manuscrit des Mémoires infâmes de la femme Laniotte, corrigé de la main même de M. de Calonne.*’ A minister capable of such baseness towards the wife of his sovereign is unworthy of credit either to prove charges of personal vanity against Louis XVI. or political treachery on the part of the Queen.

If we see no sufficient reason to adopt the statements of M. de Calonne against Louis XVI., still less can we acquiesce in the inferences drawn on grounds still more unsubstantial, attributing irregularities and infidelities to Marie Antoinette. It should be remembered that against that unhappy princess the most violent hatred and animosity were directed. Even before the old prestige for their king had been wholly effaced from the minds of the French people, Madame Deficit and Madame Veto, as she was called, was held up to odium by the whole revolutionary party. No malignity was spared, and calumnies the most absurd were invented and circulated. Of these the motive suggested for her dislike to Egalité, namely, the 'spretæ & injuria formæ,' is a sufficient example. That she should have selected as an object of preference a man personally unattractive as well as most dangerous, is not to be believed, though the 'judicium Paridis' had been pronounced in favour of the scandalous charge. Lord Holland wholly rejects it. Even many of those who were anxious to preserve the King and Royalty, thought that the best measure for his security, would be the banishment of Marie Antoinette. Her friends were few and powerless. Had she been really guilty of impurity of life, and corruption of morals, it cannot be doubted that there would have been better proof tendered against her than the strained inferences on which Lord Holland relies, and on which we feel it to be our duty to comment.

Let us, then, stop to inquire what is that testimony. It is hearsay throughout, and supposed to be derived from a single witness, with whom it is not stated he ever communicated personally. We allude to certain supposed conversations of Madaine Campan, made known by others to Lord Holland. But this lady was an authoress, and the public have read her Memoirs. Not one line or word can be quoted from them to support any suspicion of the Queen's frailty. The very contrary is the fact. Whatever might be Madaine Campan's predilection for the royal family, yet if a somewhat gossiping French lady, undertaking to write court memoirs, had been in possession of facts like those alluded to, we conceive the temptation to hint, if not to tell, the secret, would have been irresistible. To believe in her entire reserve on the occasion would be as difficult as to imagine that she would have ordered her 'gigot,' without the 'petit coup d'ail,' which is its proper seasoning. Lord Holland, indeed, accounts for her silence on the subject, by attributing to her 'a delicacy and a discretion not only pardonable, but praiseworthy.' He adds, however, that her Memoirs were 'disingenuous as concealing truths that it would have

'been unbecoming a lady to reveal.' But is this quite the case? On the contrary, does not Lord Holland himself refer to those Memoirs to prove the fact that Louis XVI. was not to be considered as a very eager or tender husband,—a fact which, though insufficient to support a charge against the Queen, yet, explained as it is by Madame Campan, demonstrates that the authoress did not feel herself restrained by delicacy within any very narrow or inconvenient limits. Madame Campan, after describing the personal attractions of her royal mistress, complains unreservedly of the 'froideur,' and the 'indifférence affligante,' of the King. The passage to which we allude (vol. i. p. 60.) is scarcely consistent with that *extreme* 'delicacy and discretion' which Lord Holland assumes as his reason for rejecting the written evidence of Madame Campan, and giving faith to second-hand reports of her supposed conversations. If Lord Holland's hypothesis of the extreme reserve of Madame Campan were correct, how can we think it possible that she could afterwards have divulged the whole guilty mystery in conversation, involving, as it did, her own disgrace, her royal mistress's dishonour, and the illegitimacy of the Duchess d'Angoulême? It is stated 'that Madame Campan acknowledged these facts to others, who acknowledged them to Lord Holland' (p. 18.); a very slender thread, it must be confessed, on which to hang so weighty a charge. The only statement approaching the character of evidence is one which Talleyrand alleges to have been communicated to him by Madame Campan; it is to the effect that on the night of the memorable 6th October, Fersen was *tête-à-tête* with the Queen, and that he escaped from her boudoir, or bed-room, in a disguise procured for him by Madame Campan herself. This, again, is only hearsay of the same description, though it obtains some trifling additional weight in consequence of its resting on Talleyrand's authority. The evidence even at best, as it did not come within his personal knowledge, would be merely the uncorroborated testimony of an accomplice. But the story is utterly incredible on other grounds. The time and place fixed, the peril with which the Queen was at the period surrounded, preclude the possibility that this anecdote should have been correctly reported by Talleyrand; and Madame Campan, in describing the fearful scenes of October, says, 'à cette époque je n'étais pas de service auprès la reine. 'M. Campan y resta jusqu'à deux heures du matin.' (Vol. ii. p. 75.)

It is undoubtedly true that during the revolutionary period, the Queen held secret communications with persons attached to herself, and her family. It would have been indeed most strange

if she had not done so. When her husband's life and crown were at stake — when the lives of her children were in peril — when, even amidst the cowardice and apostasy of the many, there remained some few who were faithful, — can we doubt the prudence, nay, the duty of such intercourse? but if it were even proved to have been carried on by night and in secret, are we entitled, on this account, to cast suspicion on the honour of the Queen? Not only was the intercourse we have suggested highly probable, — there can be no doubt but that it actually took place, from the evidence of parties themselves engaged in the transaction. Among those devoted to the royal cause, at the time of its greatest danger, were some officers of the Irish brigade; a gallant corps which, from the day of Fontenoy, had distinguished its courage on almost every battle-field of Europe. Attached to the crown by political feeling, bound to the Queen by a spirit of chivalry, these brave men were prepared to risk their lives for her deliverance. They formed an association — for it must not be degraded by the name of a conspiracy — for this generous purpose. All the necessary preparations were made at Paris, on the road, and at the outports. It was proposed to convey her by sea, to a south-western port in Ireland. The house which was selected for her reception still exists; and a more miserable contrast to the Petit Trianon cannot well be conceived. The leader of this chivalrous band was an Irishman of great force of character, one of the Roman Catholic *fouusciti*, ennobled by Joseph II., who admitted him to close intimacy; but known less creditably by his daring spirit of gambling adventure at Spa, and other baths, and by a sanguinary duel with Count Dubarry, which gave him an unfortunate celebrity. The proposal for escape was communicated to the Queen. It was shown that there was a strong probability of success. But though the plan promised safety, it involved the abandonment of her husband and children. The Queen refused — she remained; and she remained to die.

This anecdote, which we give upon the most conclusive evidence, is fully supported by Madame Campan's authority: — ‘Les évasions étaient sans cesse proposées’ (vol. ii. p. 103.). ‘La reine recevait des conseils et des mémoires de toute part’ (p. 106.). ‘La reine se rendait souvent à mon appartement, pour y donner audience, loin des yeux qui épiaient ses moindres démarches’ (vol. iii. p. 161.). Similar cases must have occurred, similar offers must have been made, and necessarily made, without the knowledge of Louis XVI. But are we justified, on hearsay evidence of nightly visits to the Queen, or of secret correspondence, to attribute to her a forgetfulness

of her duties as a wife,—and that in the case of a wife, who would not condescend to purchase her safety by abandoning her husband?

To some persons the honour of Marie Antoinette may appear as stale and unprofitable a subject of inquiry as the ‘scandal against Queen Elizabeth.’ We see the matter in a more serious light; and independently of the general principles of truth and justice, which are at issue, we feel that we are not so far removed from the events of the French Revolution, or so entirely disengaged from their mighty influences, as to render it indifferent and immaterial to guard against any mistake respecting the causes which produced or accelerated that social earthquake.

Talleyrand occupies a considerable share in these pages. This might have been expected, both from his position and from the intimacy existing between him and Lord Holland,—an intimacy assuredly not founded on any similarity of mind or character. On the contrary, the marked contrast between the polished astuteness of the French diplomatist and the frankness of the English statesman, must have made each an entertaining study to the other. The same contrast was whimsically exhibited in their personal appearance. The half-closed, but always sly and observant eye, the features cold and impassive, as if cut in stone, the ‘physiognomie qui avait quelque chose de gracieux qui captivait, mais de malicieux qui effrayait’ (Mignet, Discours à l’Académie, vol. i. p. 110.), bespoke the subtlest of all contemporary politicians, and was the very opposite of the open and generous countenance of Lord Holland.

It appears that Talleyrand and Mr. Pitt were associates at Rheims after the peace of 1782. The one was acting as auncionier to his uncle, the archbishop; the other was at the time a student of the French language. How little could either party have foreseen the future destination of his companion! Talleyrand appears to have felt, with some bitterness, that subsequently, and more especially during his mission to England in 1794, Mr. Pitt never marked, by any personal attention, the slightest recollection of the intimacy previously existing. We believe that this is far from being a solitary case. The cold and foggy atmosphere of our habits repels a foreigner accustomed to more genial manners as to a more genial climate. It is a curious subject of speculation, to consider what might have been the result if these two eminent statesmen had really combined for the purpose which we believe they had both sincerely at heart—the preservation of peace between the two great nations of the West. We ought, however, to bear in mind, to guard us against relying too much on our hopes, that some years

antecedently Talleyrand, whilst an abbé, and agent-general for the clergy of France, had fitted up a privateer, to cruise against England, during the American war. He was not, however, always so hostile; on the contrary, in his work on the commercial relations between the United States and Europe, he appears to have taken a correct view of our position, and expresses his unqualified opinion that it is with England, and not with France, that permanent treaties of alliance should be formed by the Government of Washington. (P. 39.)

Lord Holland seems to have placed so unqualified and unreserved a confidence in the good faith and truthfulness of Talleyrand, that it almost amounted to credulity. Yet, at the very moment when he so declares his trust, he couples it with statements, or admissions, which suggest grave reasons for doubt. ‘My general and long observation of Talleyrand’s ‘veracity in great and small matters makes me confident,’ he observes (p. 37.), ‘that his relation is correct.’ He adds, however, ‘He may, as much or more than other diplomats, ‘suppress what is true; I am quite satisfied he never ‘actually says what is false, though he may occasionally ‘imply it.’ Less satisfactory evidence to support personal credit we have seldom heard. ‘My friend is pre-eminently ‘veracious,’ deposes the witness, called to character, ‘except ‘that he may, perhaps, more than others of his craft, suppress ‘the truth and imply a falsehood.’ Nor does our mistrust rest solely on this admission. Lord Holland gives special instances which are not without their significance. In describing the Reports and Papers (more especially that on Education) to which Talleyrand owed much of his early celebrity, Lord Holland informs us, that, ‘they may be suspected of being the ‘work of other men’ (p. 36.). In like manner we are told that it was just possible that the merit of a *bon mot* not his own, ‘might have made it somewhat tempting to Talleyrand to own it’ (p. 6.). These matters may be passed over, perhaps, as trivial. Lord Holland, however, goes further. He informs us that, at Erfurt, ‘Talleyrand, from a questionable preference of the ‘interests of peace to the official duties of his confidential ‘station, ventured secretly to apprise the Emperor of Russia ‘that the object of the interview was to engage him in a war ‘with Austria: and he even went so far as to advise him to ‘avoid going to Erfurt; or, if he did go, to resist the instances ‘of Napoleon to make war’ (p. 172.). It is hardly possible to conceive more unprincipled treachery committed by a minister of state towards the sovereign he served, and to whom, whilst in his service, he was bound by every tie of honour and obliga-

tion. Had the diplomatist gone no further than to display at once his powers of tact and of flattery by his whisper to Alexander, when the two Emperors were about to enter their carriages, returning to their respective dominions, ‘ Ah ! si votre majesté pouvait se tromper de voiture,’ we might have forgiven the characteristic *bon mot*. But calmly and deliberately to betray the master he served, would, even if the case stood alone, deprive Talleyrand of all claim on the confidence of mankind. It is far from standing alone.

In respect to that passage in Talleyrand’s life which is generally referred to as the strongest proof of his faithlessness,—namely, his ultimate adoption of the cause of the Bourbons,—Lord Holland gives us a most curious illustration of the influence of accidental circumstances, not only on the destinies of men, but, of nations. After the negotiations at Chatillon, we are informed that Talleyrand and the Duke Dalberg were both desirous to learn what conditions Austria would impose on France, if France were to agree to abandon and dethrone Napoleon. They employed, for this purpose, M. de Vitrolles, whom they little suspected of being, at the time, a secret agent of Monsieur and the Bourbons. This emissary was furnished with a ring, or some secret sign, to ensure him credit with Prince Metternich. Vitrolles, exceeding his instructions, but relying on his secret credentials, assured the Allies that Talleyrand and others had formed their plot, and were determined to restore the Bourbons; and that they were awaiting a declaration in favour of the exiled family. ‘ On the arrival of the armies, the Allies were surprised to find that no such plot existed, and Talleyrand no less so that his name had been instrumental in restoring the Bourbons. He was, however, too quick-sighted not to make a virtue of necessity. The restoration was inevitable: he was too adroit not to father the spurious child unexpectedly sworn to him by *the prostitute* who had conceived it.’ (P. 299.) It is true that, by this account, M. de Vitrolles is shown to have well merited the epithet applied to him. But what was Talleyrand? We are inclined to say ‘ Il y en a deux.’

We have dwelt upon the degree of credit due to the testimony of Talleyrand, not only because Lord Holland informs us that he relies almost implicitly upon him,—as it was ‘ from his authority that he derived much of the little knowledge he possessed of the leading characters in France before and after the Revolution’ (p. 34.),—but for another, and a far more important reason. The Prince Talleyrand has left, for future publication, the memoirs of his own time. This fact is put beyond all doubt by Lord Holland, in whose family

circle parts of these memoirs were read. We can easily imagine the ‘engouement’ with which these revelations may hereafter be received, and the degree of credit they may derive from the author’s name, his wit, and the mystery attending the appearance of a work long suppressed. It becomes, therefore, important to suggest reasons to prevent his evidence from passing above its true value. It appears somewhat more than possible that one who had successfully overreached his contemporaries, should feel a secret pleasure in the hope of making a dupe of posterity. He has said indeed, and said with his accustomed wit, ‘De nos jours il n’est pas facile de ‘tromper long tems. Il-y-a quelqu’un qui a plus d’esprit que ‘Voltaire, plus d’esprit que Bonaparte, plus que chacun des ‘ministres passés, presents, et à venir. C’est tout le monde.’ But this well-turned epigram is so far from creating or increasing our faith in its author, that we are inclined to believe that at the moment he uttered it he was contemplating with self-complacency the possibility of deceiving that very public before whose omniscience and infallibility he affected to bow down. We know from our police reports how skilfully an adroit thief contrives to carry off the watches and purses of the incautious, whilst putting the owners off their guard by marked attention and demonstrations of respect.

The best defence we have seen offered for the political perfidy of Talleyrand is the following extract, taken from his *Eloge* by Mignet, as pronounced at the Academy:—‘Quand on n’a ‘eu qu’une opinion, quand on n’a été l’homme que d’une ‘seule cause, le jour où cette cause succombe on se tient à ‘l’écart, et on s’enveloppe dans son deuil; mais lorsqu’ayant ‘traversé de nombreuses révolutions on considère les gouverne- ‘mens comme des formes éphémères d’autorité, lorsqu’on a pris ‘l’habitude de ne les admettre qu’autant qu’ils savent se cou- ‘server, on se jette au milieu des événemens, pour en tirer le ‘meilleur parti.’ (Mignet, Discours, vol. i. p. 141.) Considering that the French historian has in this passage well described the French statesman, we are not surprised to find, even in his *éloge*, the following judgment pronounced upon Talleyrand:—‘Dès sa jeunesse, l’ambition lui ayant été offerte comme ‘perspective, et laissée comme ressource, il s’habitua à subor- ‘donner la règle morale à l’utilité politique. Il se dirigea ‘surtout d’après les calculs de son esprit.’ (Vol. i. p. 158.)

Whatever may be the opinion formed of Talleyrand as a statesman, in one judgment all must agree. We doubt whether any one in our times ever excelled him in the peculiar wit of which he was the great master. He combined at once the point

of Martial with the condensed sententiousness of Tacitus, and a grace and delicacy peculiar to the countrymen of Fontenelle. Lord Holland truly says that his *bon mots* were, for forty or fifty years, more repeated and admired than those of any living man. ‘The reason was obvious. Few men uttered so many and yet fewer any equally good. By a happy combination of neatness in language and ease and suavity of manner, his sarcasms assumed a garb at once so courtly and so careless, that they often diverted as much as they could mortify their immediate objects.’ (P. 40.) This, though true, seems to us scarcely to distinguish with precision the peculiarities of Talleyrand’s wit. Its force and raciness were even more striking than its brilliancy. It was ‘weighty bullion’ rather than ‘French wire.’ The wit of some who have been thought distinguished conversers resembles a flight of rockets, which rise and burst, and leave little behind but the falling stick and the smell of gunpowder. A second class exhibit their powers by writing in phosphorus,—very brilliant, but very cold. A third class deal in electricity, draw sparks, or perhaps give a shock from a well-charged jar, but the whole is artificially prepared, and the rustling of the glass against the silk betrays the previous arrangement. With Talleyrand all was effective and terse, and at the same time was thoroughly natural. Above all, his wit was argumentative, and, when used in conversational warfare, it penetrated the most solid block like a red-hot shot, embedding itself in the timber, producing combustion, or, perhaps, firing the magazine. Talleyrand’s wit exhibited all its characteristics whether directed to political, to literary, or to social objects. Of this we have a happy example in his commentary on the complaint of deafness made by that vainest of all mortals, M. de Chateaubriand: — ‘Je comprends; depuis qu’on a cessé de parler de lui, il se croit sourd.’ Another reply of his is also given us by Lord Holland, and is equally striking. In answer to a silly coxcomb, who was boasting of his mother’s beauty in order to claim (‘par droit de naissance’) similar personal attractions for himself, Talleyrand answered, ‘C’était donc M. votre père, qui n’était pas si bien.’ We wish that Lord Holland, who possessed more opportunities than any other man for collecting and stringing these conversational pearls, had been more diligent in so agreeable a vocation. We may add two anecdotes from memory, which we are not quite certain to have seen in print. The name of a man of rank in France, who, before the Restoration, had taken great pride in his relationship to Napoleon, being mentioned in society, some one present asked whether he was really a kinsman of the Emperor? ‘Autrefois, Oui; à présent,

'Non!' was the significant reply. As an example to show how readily the same powers were applied to the lighter as well as the graver subjects of discussion, we give another anecdote, which originated in a London *salon*. An attractive lady of rank having made some ineffectual attempts to engage Talleyrand in conversation, as a last effort required his opinion of her gown. He opened his eyes, surveyed his handsome questioner from her bust to her ankles, and then examining the robe in question, observed, with entire gravity, 'Madame, elle commence trop tard, et elle finit trop tôt.' We must not omit one of the very best of his sayings, as preserved by Lord Holland in this volume. Having given up the intimacy of the distinguished daughter of Neckar for that of a certain Madame Grand, who neither possessed attractiveness of wit or of conversation, Talleyrand justified his change by observing, 'Il faut avoir aimé Madame de Staël, pour connaître tout le bonheur d'aimer une bête.' Never were two mistresses so transfixed by one shaft. It did not come from Love's quiver.

It is much to be regretted that so many of Talleyrand's happiest replies have been lost. They merit being preserved in a more appropriate depositary than in the dialogue, however lively, of 'Bertrand and Raton,' or in the fugitive literature of the day. We are aware of what a delicate nature is wit. It bears transport as little as the precious Mangusteen, or those wines which lose their flavour if taken beyond their native vineyard. It loses much from want of its original *entourage*. It is essentially dramatic in its nature, and cannot be transmitted with effect through the coarse medium of printer's ink. This was, however, less the case with Talleyrand than with most others of the class; and from his political position, and the nature of the subjects with which he dealt, our loss is proportionally great.

We know not whether it is to Talleyrand, that we are to attribute Lord Holland's inclination to pronounce more favourably on the character of Egalité, than his contemporaries have done, whatever their shades of opinion. We are not informed on what grounds we can assume that 'no man has been more calumniated than the Duke of Orleans, or will be more misrepresented to posterity.' (P. 21.) Lord Holland admits that 'his habits were far from respectable.' This is surely taking us a likeness in miniature. M. Thiers is bolder; he describes Egalité as 'livré aux mauvaises moeurs, il avait abusé de tous les dons de la nature et de la fortune.' A man who would select Laclos as secretary to vouch for his morals, and Danton as a pledge for his politics, gave evidence that 'les liaisons dangereuses' might

exist in other matters than in gallantry. This, and his association with the bloody crew of the Montagnards, might dispose of his public and private character. Lord Holland admits, ‘that there is reason to suspect that the persons interested in keeping up the influence of the Duke of Orleans were agents in the revolutions of the 10th August and 2d September, 1792; and that the only party which showed the least disposition to connect itself with him, were a portion of those to whose language and manœuvres the horrors of that last day are mainly attributed.’ (P. 29.) This, surely, is conclusive. We cannot for one moment accept, in palliation of his vote condemning Louis XVI. to death, the suggestion that ‘he could not have saved the King by voting against his death, but that he, more than any one else in the Assembly, would have accelerated his own death by so doing.’ (P. 32.) This plea involves a principle which would justify weakness and crime in almost all cases. We need only look to the *procès verbal* of the Assembly, to see that his vote, whatever might have been its unworthy motive, created a sensation of horror, even in the Assembly itself. He voted twice. First, against the appeal to the people, which was proposed with a view of giving to the unfortunate King one additional chance of escape. The second vote was for his death,—the most wanton and savage act even of revolutionary times. In both cases his vote was *motivé*, and characteristic of all his base selfishness. The record informs us, that, in voting against the appeal, he said, ‘Je ne m’occupe que de mon devoir. Je dis, “Non.”’ He spoke more fully still in favour of death:—‘Uniquement occupé de mon devoir, convaincu que tous ceux qui ont attenté ou attenteront par la suite à la souveraineté du peuple, méritent la mort,—je vote pour la mort.’ Is it wonderful that this should have been followed by a ‘*sourd murmure*?’ (Hist. Parl. vol. xxiii. p. 144.) The justification of his treason, suggested by Lord Holland, is likewise sanctioned by the observations of M. Thiers on the trial and execution of the Duke of Orleans. ‘Obligé de se rendre supportable aux Jacobins ou de périr, le duc prononça la mort de son parent, et retourna à sa place au milieu de l’agitation causée par son vote. . . . Le plus profond et le plus volontaire abaissement ne pouvait ni calmer les défiances ni conjurer l’échafaud.’ (Thiers, vol. ii. p. 357.)

Lord Holland does not profess much acquaintance with the northern or the German courts. He does full credit, however, to the character of the great Count Bernstorff, and forcibly describes that steady moderation which enabled him to continue strong in consistency, and which protected him from the necessity of

adopting, like so many other contemporaneous statesmen, that pliancy of principle, for which history will withhold from their excesses in prosperity, the honourable excuse of fanaticism, and from their sufferings in adversity, the grace and dignity of martyrdom.' (P. 56.) Under his wise administration Denmark prospered, and Lord Holland is fully justified in stating, that 'the commerce and agriculture of the country advanced, the people were relieved from feudal burthens which oppressed them; tranquillity was preserved, justice purely administered, and the foreign policy conducted in a manner creditable and even glorious.' (P. 53.) This is the more remarkable when it is considered that at this time the king was in a state of childishness approaching to insanity. Papers requiring the sign manual were laid before him rather as a medical prescription, to occupy his mind, than as a function of royalty. Meantime, so jealous was he of his own rights, that finding a paper had been signed by the Crown Prince in anticipation, and before it had been submitted for his own signature, on the next occasion when called on for the sign manual, 'to the surprise and consternation of the courtiers, he signed as *Christian & Co.*; observing that though once the sole proprietor of the firm, as he now discovered that he was reduced to be a partner only, he wished to save his associates the trouble of adding their names.' (P. 51.) At Paris, where it was the fashion to undervalue the intelligence of the Scandinavian race, it had been once reported, with witty malice, that a Danish traveller, on being asked what was the *cordon bleu* of Denmark, answered, 'Monsieur, le Saint Esprit du roi mon maître, est un Elephant,' alluding to the first order of Danish knighthood. An anecdote given us by Lord Holland serves to prove that even in the case of their sovereign Frederick VI., as well as in that of Christian, the spirit of wit might still occasionally inspire the heavy animals of the Baltic. The partition of the States of Europe was regulated at the congress of Vienna by the number of 'souls' or inhabitants within the ceded States. The King of Denmark, as we know, was no gainer by these changes. On taking his leave at Vienna, the Emperor assured him kindly of the universal regard and respect which he had acquired. 'Pendant votre séjour ici votre Majesté a gagné tous les coeurs.' 'Mais pas une seule âme,' was the ready, but reproachful, rejoinder. We should have wished to have heard more of the Danes. We have ever felt a respect for these 'English of the North,' as they are called; a title which we feel more than ever willing to concede to them at a time when there can be no question concerning their patriotism and courage, whatever

difference of opinion may exist between diplomatists and the German people concerning the merits of the cause, in which these noble virtues have been exhibited.

The warm partiality which Lord Holland felt at all times for Spain and the Spaniards, is fully shown by the attention he has paid to the Court of Madrid, its princes, and its statesmen. This partiality was natural in the biographer and critic of the great dramatist of Castile; in one who had himself not only gathered, but transplanted to our English soil some of the sweetest flowers of the Vega. So disposed was he to praise all that was Spanish, that we recollect well hearing him address to a French military diplomatist an energetic panegyric on the prowess of the Spanish armies. When defeated in his argument, as his friends had been in their battles, Lord Holland closed by saying, ‘At least you must confess that no troops in Europe can make such marches as the Spaniards.’ ‘True,’ replied the Frenchman, ‘provided they are marching in retreat.’ The reply was conclusive, and the conversation dropped.

Undisguised as was Lord Holland’s partiality, he could not, however, create patriots, heroes, or philosophers out of the materials before him in the Spanish Royal Collection. We may be assured, indeed, by our guide, that we are under the gilded roofs of Madrid or Aranjuez. But the manners and morals to which we are introduced seem below those of the most wretched Venta, and the food to which we are condemned is an olla, in which rancid oil and garlic predominate. The judgment on the female character passed by Charles III., in reply to the confiding simplicity of his son, is better given in the original language than in our own, — ‘ Carlos, ‘ Carlos, que tonto que eres. Todas, si todas, son putas.’ (P. 73.) This seems well-founded on Spanish Royal experience, for we find little in the social state and individual characters painted by Lord Holland at variance with this sweeping denunciation. Nor was this corruption confined to the private life of the great. Its influence extended to affairs of State; and ministers seem to have been chosen on the same grounds on which we are informed by Juvenal that bequests were made in Imperial Rome. Hence the most stupendous ignorance is exhibited even by ministers of some natural shrewdness of capacity. Lord Holland assures us, on conclusive authority (p. 135.), that in documents coming from the office of the Prince of the Peace, then foreign minister, the Hanseatic towns, *Villas Hanseaticas*, were often designated *Islas Asiaticas*. He adds, that he was assured that the same Godoy was for sonic time at the head of the foreign affairs before he discovered Prussia and Russia to be different countries, being led into this mistake by an

economical arrangement, which induced the two courts to club for an ambassador. Yet, with these disqualifications, Godoy continued the ruler of Spain for years. Though ignorant of many things, he was so far conscious of his own deficiencies as at times to select his instruments of government with discretion. To him Jovellanos and Saavedra, both considerable men, owed their first elevation. Lord Holland, on the whole, seems to have considered Godoy friendly to England, having entered into office on anti-Gallican principles. But constancy and good faith were not the attributes of his time or class. When promoted to the rank of Prince, a right was conferred on him by patent to bear before him, on all solemnities, a golden image of Janus; and this ‘santo Iddio a due faccie’ was not an inapt emblem of his policy and that of too many others of greater pretension. The ignorance of Godoy was at least equalled by the coarseness of his royal master, Charles IV., who is justly described as ‘brutal, silly, and credulous’ (p. 142.). On discovering the treachery of his son Ferdinand, which amounted nearly to treason, his dignified reply to the Prince of the Asturias’ protestations of innocence was, ‘Tú mientes, Fernando, tú mientes; y tú me lo pagarás, sí, Fernando, tú me lo pagarás!'

The dismissal or retirement of Spanish ministers of State appears at times accompanied with forms unknown in our colder regions. The disgraced minister is said to be ‘jubilado,’ or ‘regaled,’ as Lord Holland translates it. We know not whether Mr. Fox would have applied the term ‘jubilado’ to his dismissal in 1783, or Lord Sidmouth to his overthrow in 1804. Nor do we believe that the latter, however orthodox, would have felt his resignation more palatable if, like Jovellanos, he had been placed in strict ecclesiastical custody, and been condemned to study his catechism daily. (P. 106.)

It is interesting, and in some respects instructive, to find how often in these pages proofs recur of the barbarous policy of our Roman Catholic penal code. ‘Every one conversant with the modern military history of Spain,’ observes Lord Holland, ‘or with good society in that country, cannot but be struck with the large proportion of their eminent officers who were either born, or descended from those who were born in Ireland.’ (P. 79.) ‘O'Reilly, who rejected all the offers of Marshal Laudon, made to him when prisoner of war, to induce him to engage in the imperial service (p. 79.), had been a young Irish adventurer.’ O'Farrel is classed by Lord Holland as one of the leaders of the enlightened party which proposed to itself, by providing against political abuses, to raise Spain in the rank of

European States. Blake, though admitting his ‘mala estrella,’ is considered by Lord Holland an accomplished soldier, and as exercising great influence over his troops. (P. 155.) His military work was praised by General Foy,—no mean authority. Blake’s wife took refuge at Plymouth after the capture of Coruña. ‘She considered herself neglected by our government, which confirmed all the jealousy against England which her husband derived from his Irish origin.’ Of O’Donnell (Abishal) Lord Holland speaks less favourably: ‘He retained more of the nation from which he sprang, than of that in which he was born and educated to arms. He showed greater talent, and had more success, than all the other Spanish generals; but he was unsteady, intemperate, and unreasonable, and regardless of truth and character.’ (P. 159.)

It would, however, be most unjust if, from what we have written and extracted, we were understood to suggest or to countenance the supposition that Spain, at the period described by Lord Holland, did not produce, or that it does not now contain, men of those noble and manly endowments, and of that chivalrous sense of honour and patriotism, which form the genuine Castilian. We hope and believe that such men do exist at present. That there were many such in the times described by Lord Holland is proved by the pages before us. Of these Melchor de Jovellanos was a bright example; and we feel great pleasure in extracting Lord Holland’s description of his character, which is not only interesting in itself, but affords a good specimen of Lord Holland’s style:—‘Jovellanos distinguished himself at an early period of life by his literary productions in verse and prose, his taste in the arts, and his extensive knowledge in all branches of political economy. Great as were his intellectual endowments, his moral qualities were in unison with them. The purity of his taste was of a piece with that of his mind; and the correctness of his language a picture of his well regulated life. In the persuasive smoothness of his eloquence, and the mild dignity of his demeanour, one seemed to read the serenity of his temper and the elevation of his character.’ (Pp. 90, 91.) Yet this man was condemned to the dungeons of Majoreca!

Another distinguished man was, like Jovellanos, a native of the Asturias. Augustin Arguelles was an early visitor to England; he had acquired a knowledge of our language and literature, very uncommon among the natives of the Peninsula; yet he was jealous of our country, of its foreign policy, and even of our great Captain, to whom Spain owed its deliverance. His unblemished integrity and rare disinterestedness were ex-

hibited to the very close of his life, when, as we believe, he declined receiving the large income allotted to the high office which he filled near the present Queen of Spain during her minority. He had to sustain severe trials both of prosperity and of misfortune; and perhaps it was to the former he yielded and fell a victim. He was tempted by the intoxication of popular applause, and he did not always use for the best purposes the almost unlimited ascendancy granted to him in the Cortes. The proceedings of that body were often unwise, and sometimes unjust. But after Arguelles had undergone the cruelties inflicted by Ferdinand; after a confinement of eighteen months in an unwholesome prison at Madrid; after his subsequent imprisonment in an African fortress — he sought and found an asylum in a country where his ‘consistency of principle, firmness of spirit, and austerity of virtue in public and ‘in private,’ were justly appreciated. In this country we have reason to know that the great commander towards whom, in the palmy days of political triumph, Arguelles had expressed jealousy and mistrust, had opportunities, of which he availed himself, of marking his discriminating kindness to the political exile, and in contributing to his happiness and contentment.

This notice of some of the great and noble Spaniards would be indeed incomplete if all mention were omitted of one as well known and deservedly valued in our home circles as he had been in our battle fields. The nobler characteristics of the Spanish race were never more appropriately represented than by Alava. The friend and associate of Wellington, he was worthy of that high distinction. He appreciated it, as much as he did his name of Spaniard. He spoke of his great commander with a devoted tenderness which seemed only next to the love he bore his country, and his young queen. Lord Holland was well qualified to appreciate his character, which, as he describes it, and as we recollect it, in many points resembled his own. ‘Alava,’ he tells us (p. 159.), ‘was impetuous in temper, and ‘heedless in conversation; but yet so honest, so natural, so ‘cheerful, and so affectionate, that the most reserved man could ‘scarcely have given less offence than he who commanded the ‘respect of so many by his intrepid openness and sincerity.’ We may add two anecdotes of Alava, which are highly characteristic, and which will, to most of our readers, be new. Sitting at table near a member of Lord Grey’s government, and heartily expressing his approval of a branch of policy then under discussion, he suddenly turned round and exclaimed, with all the vehemence of the South, ‘But you must not think I can ‘ever prefer this government to the Duke of Wellington — it

‘is he whom I love!’ At a later period, when about to take leave of England, he visited a private family, where he had been received in the most familiar intimacy. For one of the young ladies of that family the old soldier and minister had always manifested an affectionate and parental regard. He took leave with emotion. Returning from the door to repeat his farewell, he, for the last time, addressed his favourite:—
 ‘ You are good, you are young; your prayers will be heard;
 ‘ let me entreat you, for my sake, when you kneel to God,
 ‘ never forget a prayer for my queen.’ But we must close this subject, and pass to the last which calls for our attention.

In the earlier part of this article, we noticed two particularities which, though they add to the force and graphic interest of Lord Holland’s Reminiscences, have a tendency to impair that calmness and impartiality which are indispensable requisites in an historian. We pointed out his irrepressible, but somewhat indiscriminating sympathy, for misfortune; and his readiness to receive with undue favour all evidence tendered on behalf of the cause, or the persons, who interested his feelings. Both these influences seem to have been brought into play in dealing with the character of Napoleon. We do not believe that Lord Holland would himself have denied that this portion of his work was so far written with a bias, that his inclination was to convey a favourable impression of one whom he deemed the greatest man in Europe. We do not mean to suggest that this is done at any unworthy sacrifice. Lord Holland never seeks to palliate the cruelty of Napoleon in the murder of the Duke d’Enghien. On the contrary, he affirms ‘ that no discovery that he can conjecture can efface the stain that guilt left on the French Government.’ (P. 225.) Nor does he condescend to give the weight of his authority to that most absurd of all delusions, which holds up to mankind the military ruler of France as the friend of civil liberty or of popular rights. Though called by Pitt the ‘ child and champion of Jacobinism,’ Napoleon never exhibited any filial duty towards his parent; against whom, on the contrary, he was ready at all times to enter the lists and to do battle. It is true, that in the early stages of his life he spoke revolutionary language, and assumed the republican garb. In so doing he bent to necessity, spoke the vulgar tongue, and wore the habit of the day. Nor could he otherwise have risen to power,—great as was his ambition, and commanding as was his genius. His earliest tendencies were, in truth, towards authority and despotism. Even at the age of eighteen, his dreams led him to calculate whether, with an army of 2000 men, he could not have made himself the ‘ principe ’ or ruler of Italy.

(P. 210.) If in his youth he had embraced any democratic convictions, his own testimony establishes that they were soon cast aside. We doubt whether they were ever strongly rooted. Lord Holland informs us that, ‘ by Napoleon’s own account of himself, it was in Egypt he weaned his mind from the republican illusions in which his early youth had been nursed. Those who knew him well, assured me that the scenes of the Revolution had estranged and even disgusted him with democracy ; he checked every tendency to revive in France, or produce elsewhere, any excesses of that nature, from a conviction that the evil created by them was positive and certain, — the ultimate good to be derived from them, uncertain and problematical.’ (P. 257.) During ‘the hundred days,’ whatever approach he made towards popular principles, he made under compulsion,— and it is unquestionable that he hated, and perhaps despised, the *doctrinaires* and philosophers with whom he was at that time reduced to make terms, regarding them as much his personal enemies, as the Allied Sovereigns themselves. Count Molé assured Lord Holland, on the authority of Napoleon himself, that Napoleon felt great apprehensions lest the Republicans should prevail ; and he acknowledged that had he but foreseen how much of compliance with the democratic party would have been required, he never would have left Elba.

(P. 303.) We have dwelt upon this, because the absurdity of connecting the name of Napoleon Buonaparte with the cause of liberty—though recognised as such by rational men—is not admitted by the fanatical and the ignorant, at home or abroad. It appears to us the most irrational of all attempts at imposture in hero-worship. If there be a class who are desirous of raising temples to such a divinity, let them do so on the ground of his military genius and achievements.

Lord Holland admits that the evidence on which he writes was, in the strongest sense of the words, *ex parte*. We do not mean that it was therefore inadmissible. Our objections go more to the credit than to the competency of his witnesses. Lord Holland describes this portion of his work to be no more than ‘ a transcript of some hasty and rambling notes taken on receiving the news of Napoleon’s death in 1821.’ (P. 187.) The generous attention and kindness which both Lord and Lady Holland had shown to the captive of St. Helena, in supplying his many wants and lessening the inevitable trials of his seclusion, were well known and justly appreciated throughout Europe. This kindness on their part, as we learn, ‘ introduced them to the society of those who openly professed, or sincerely felt, most veneration for Napoleon ;’ and we are informed that it was from

the conversation of these parties that Lord Holland's notes were taken. We confess we cannot but feel some mistrust of this information; not so much from a suspicion that it was the intention of Lord Holland's informants to mislead, as from the inevitable and justifiable consequences of their respect, gratitude, and affection for one, who, having been their monarch and their hero, was finally raised to the higher dignity of being made their martyr.

We do not therefore feel surprise, if, forewarned against such influences, we are driven to refuse our assent to some few of the judgments of Lord Holland. We are, perhaps, cold and phlegmatic, and too fearful lest any false enthusiasm should carry us astray. Lord Holland condemns, as cruel and ungenerous, the confinement of Napoleon at St. Helena. In this we cannot concur. As to the want of those courtesies and attentions which might have alleviated his imprisonment without endangering his safe custody,—the petty torments and mortifications, the limitations imposed on his supply of books and necessaries, the refusal of a barren title to one who had ruled and conquered half the territories of Europe, and with whom we had not only fought but negotiated,—all this was inexcusable. There was exhibited throughout, a wretched and pitiful meanness, as well as a want of common feeling disgraceful to all concerned. But that Napoleon should have been subjected to such restraints as were indispensable to his safe custody, was due to the best interests of mankind,—more especially after his escape from Elba had proved how undeserving he was of further confidence. Lord Holland, indeed, justifies this breach of treaty obligations, by an assertion made, on the authority of an anonymous witness, that the removal of Napoleon to St. Helena had already been 'started and discussed' at the Congress of Vienna. It is not suggested that any resolution to this effect had ever been adopted. A supposed negotiation between our Government and the East India Government, to place St. Helena under the control of the Crown, is relied upon in evidence of the participation of England in this design. No such negotiation is proved. Nor was it in any respect requisite, even for the imputed purpose. St. Helena continued under the authority of the Company during the whole of Napoleon's captivity, and for ten or twelve years after his death. It was only on the last renewal of the East India Company's charter that the island was transferred to the Crown. It is true that an Act of Parliament was then judged to be necessary to give legality to his detention and to authorise his treatment as a prisoner of war: With this view the 56. Geo. III. c. 22. was passed. In the statute passed con-

currently for regulating the intercourse with St. Helena (c. 24.), there was a clause specially saving the commercial rights of the East India Company; but no assent of that corporation seems to have been given or required. Lord Brougham, then a member of the House of Commons, stated his belief that on the question of 'securing the safe custody of the person of Napoleon 'opinions would be almost unanimous;' and he added, in a subsequent explanation, 'that no term could be put to this impossible prisonment, except under circumstances which it was impossible to anticipate.' (Parl. Debates, vol. xxx. pp. 210, 211.) Thus the whole hypothesis resorted to for the purpose of excusing a violation of engagement falls to the ground; and the naked fact remains that the prisoner of Elba had disregarded his sacred obligation,—and that, unless effectual measures were resorted to, rendering a second breach of faith impossible, a second escape or an attempt at escape—with all its calamities to Europe—was far from improbable.

A most curious method of raising the supplies was resorted to by Napoleon to meet the expenses of outfit for his great Italian campaign. It has been justly considered a mere vulgar error, to ascribe to chance events of which we are unable to state a sufficient cause. But in this instance we find that chance, in the strictest sense of the word, was the cause of events the most important. It appears that the Directory was unwilling, or unable, to supply their general with the sum he required for himself and his personal staff. After drawing on the funds and on the generosity of his friends, he resorted to Junot, then a young officer, and a frequenter of the tables of play. Napoleon confided to him all the money he had collected, to which Junot added the price of his own silver-hilted sword. He was directed by his commander to risk the whole,—to lose or so to increase it as to enable the Italian expedition to be undertaken. He was promised as a reward the appointment of aide-de-camp. Junot won an amount far beyond his expectation; but on reporting his success, he was ordered by his employer to return and try his fortune once more,—to double or to lose the entire sum. Fortune was again favourable. A sum of three hundred thousand francs was won; the journey was accomplished, the command assumed, and the splendid victories of the campaign of Italy ensued. Thus, perhaps, the crown of the Cæsars may be said to have depended on the cast of a die, and the independence of the Pope to have been the result of drawing 'grande ou petite figure.' (P. 217.) Never has there been another game played for so mighty a stake.

It is almost as curious a fact to learn, on the authority of

Murveldt, the minister who negotiated the Peace of Campo Formio, that, even after Napoleon had signed that treaty, contrary to his instructions, thus giving a signal proof of his self-reliance, he should have been offered by Austria a safe retreat and a small principality in Germany. (P. 242.) How little it could then have been anticipated, that the soldier, to whom so paltry a bribe was tendered, should within a few short years be the victor at Austerlitz, should plant his eagles on the walls of Vienna, and become the son-in-law of the Emperor.

It is difficult to decide how far it could have been possible by any course of British policy to have maintained the Peace of Amiens. M. Gallois, who from his ability and his honourable independence was worthy of being consulted by his Sovereign, gave his opinion frankly: ‘England might have done more to preserve peace, but France has not done all she could to obtain it.’ (P. 233.) Napoleon must have felt the insecurity of his position arising from the jealousy and hatred of the continental sovereigns. They could hardly sleep in peace whilst the Corsican sat in the king’s gate, still less when he was the superior of kings themselves. He therefore felt that the war must come, and that it was better to meet it before peace had unnerved his army, and destroyed his means of attack and defence: ‘Il faut d’ailleurs,’ he observed, ‘l’armée,—les généraux;’ and he feared he might lose both by a protracted peace. Without stopping to examine to what extent this hostile spirit existed on the continent of Europe, it may be doubted whether the feelings and wishes of the government, the legislature, and the people of England warranted the belief which Napoleon expressed to his philosophic counsellor Gallois: ‘L’Angleterre veut absolument la guerre. Elle l’aura.’ He was probably much more truthful when he added, ‘quant à moi j’en suis ravi.’ (P. 234.) One of the weaknesses of Napoleon was his sensibility to the abuse contained in the English journals. What Lord Holland terms ‘the scurrility of the newspapers’ (p. 232.) ‘at that period created a constant irritation in the mind of Napoleon, and contributed to accelerate and embitter the rupture between the two countries.’ (P. 263.) Mounier, and his twelve clerks, employed to abridge and to translate from our daily papers all the paragraphs pointed against the emperor and his family, must have furnished him with abundance of means to perform his function of a self-tormentor. How great a mistake was it to consider that the public journals of the day necessarily spoke the sense of the people, or implied the assent and approval of parliament or of the ministry! But, the whole course of these events proves how great a responsibility rests upon journalists. In discussions on

foreign policy, these writers are freed from direct or legal responsibility, yet from their own desks they possess, and sometimes exercise, the power, of kindling angry passions which can only be extinguished in blood. Napoleon either did not know, or would not admit, that the feelings as well as the interests of England were eminently pacific. We believe them to be still more so at present.

In an article like the present it would be out of place to enter at any length upon the political career of Buonaparte: nor does Lord Holland do so, probably, for the same reason. Some of his statements are, however, so important, that it is impossible to pass them over. Talleyrand's judgment on the errors which his master had committed belongs to history: 'He committed three capital faults,' the diplomatist observed, 'and to them his fall, scarce less extraordinary than his elevation, is to be ascribed,—Spain, Russia, and the Pope.' (P. 317.) To these Lord Holland justly adds, 'the neglect of making peace after the victories of Lützen and Bautzen in 1813.' This last error was admitted by Napoleon in conversation with Mr. Fazakerly: 'Je me eroysais assez fort pour ne pas faire la paix, et je me suis trompé; sans celà c'était assurément le moment de faire la paix.' (P. 319.) We are inclined to think that he also committed a similar error at a later time. Even at Chatillon, in 1814, though he must then have submitted to conditions far less favourable than in the previous years, he might have preserved, by peace, an imperial crown, and possibly have transmitted to his offspring a noble inheritance. Mignet considers, that the sacrifice required at that time was too great to have been acquiesced in by Napoleon or by France. Lord Holland, who had seen the official papers of Caulincourt, expresses his confidence in the integrity and pacific intentions of that negotiator; he admits, however, that he traced in the conduct of Napoleon 'an intention of not only violating faith with the Allies, but, in case of need, of disavowing and sacrificing the honour of the minister who was serving his country with zeal, talent, and fidelity.' (P. 296.) This is a strong condemnation from Lord Holland, and it seems deserved: Napoleon evidently felt it difficult to justify, or even to account for, his conduct. We have reason to believe from other sources of information, that when asked by Captain Usher why he had not made peace at Chatillon, after some inconclusive assertions of the faithlessness of his enemies, he ended by saying, 'et d'ailleurs j'avais de l'humeur!'

The judgments on the French character pronounced by Napoleon give us some insight into his mode of government: 'Le

‘ Français aime l'égalité, mais il ne se soucie pas beaucoup de la ‘ liberté,’ was an observation made at Elba to the present Lord Fortescue. Therefore it was that he gave to France the benefit, and to the world the example, of the Code Napoléon, and yet never ventured, till he was under duress, to make any real approach towards free institutions. He condemns the Directory, ‘ parcequ'ils ne savent rien faire jouer l'imagination de la nation.’ (P. 243.) He himself therefore endeavoured, in all things and at all cost, to dazzle and to astonish. His attention to the corps of *savans* who accompanied him to Egypt was intended to react on public opinion, through the press and literature. The French soldiery do not seem to have participated in the respect of their commander for this learned corps. On the contrary, the philosophers, prosecuting their march mounted on asses, are said to have been the object of rather irreverent jests; ‘ Voilà la bête d'âne !’ the soldiers exclaimed when they saw a *savant*, and ‘ Voilà un savant !’ when they overtook a donkey. The same desire to act on the imagination dictated those ‘ songs of triumph,’ the bulletins of the grand army. A similar experiment was made, in his letter to the Prince Regent, when he tried the effects of his scraps from Plutarch, and appeared in the character of Themistocles. In this case he had mistaken his man: ‘ On the impassive face the lightnings played.’ All that seems to have been noticed by George IV. in this memorable letter was, that he had begun it according to etiquette, ‘ Altesse ‘ Royale,’ — an observation somewhat trivial, but not the less characteristic. Lord Holland denies that Napoleon ever actually embraced the faith of Islamism, or affected to do so. But he conformed to many Mahometan ceremonies; and in some of his public documents and interviews he adopted a form of speech savouring of the Koran and of the East. This again was, ‘ pour faire jouer l'imagination.’

With the same object of producing a startling effect, and to obtain power or reputation under false pretences, Napoleon condescended to resort to the vulgar process of what in our university life is called ‘ cramming,’ — a process not unknown, we believe, either to kings or statesmen. Visiting Caen with Maria Louise, and a train of crowned heads and princes, the prefect, an old friend, having supplied him with statistical tables of the provinces, he observed, ‘ C'est bon ; vous et moi ferons ‘ bien de l'esprit là dessus, demain au conseil.’ Accordingly he astonished the landed proprietors by his minute knowledge of the prices of good and bad cyder, and other produce. (P. 315.) There was, however, no necessity for any affectation or artifice on the part of Napoleon, as regarded accuracy and knowledge

of detail, in many or perhaps in most cases. He exhibited to some of our officers at Elba a practical acquaintance with nautical affairs which amazed them. His inquiries were unceasing, and from the nature of them must have led in some instances to unflattering replies. When on board the Undaunted he saw the crew breakfasting on the best cocoa, an article which at that time would have been a luxury to the most delicate Parisian beauty: 'How long have your seamen had this allowance?' he asked of Capt. Usher. 'From the commencement of your Imperial Majesty's continental system,' was the answer. Napoleon was silenced. We have had ourselves further evidence of the minute accuracy of his knowledge. A very gallant Irish officer commanded a small vessel of war off Elba. Invited to the Emperor's table, his host asked his birth-place. On finding that he came from the banks of the Shannon, 'Grande et belle fleuve que votre Shannon!' observed the Emperor. 'But,' he added, 'it is ill-defended. Your seaward roadstead is at a place named Tarbert. Your batteries are commanded. I could have landed my troops out of reach of shot. I could have taken your batteries *en revers*, and have thrown your guns (*culbuté*) into the sea. What then would have become of your vessels lying at anchor and laden with grain for the army in the Peninsula?' We give this anecdote on the authority of the gallant officer to whom the remark was addressed, and who by his own local knowledge had perfect means of vouching the accuracy of the observation.

Talleyrand observes of his master (p. 317.), 'Il était mal élève,' and had but very little regard for truth. Yet he assures us that 'C'est incalculable ce qu'il produisait; plus qu'aucun homme, plus qu'aucun quatre hommes, que j'ai jamais connu. Son génie était inconcevable. Rien n'égalait son esprit, sa capacité de travail, sa facilité de produire. Il avait de la sagacité aussi. Ce n'était que rarement que son mauvais jugement l'emportait, et c'était toujours lorsqu'il ne s'était pas donné le temps de consulter celui d'autres personnes.' (P. 289.) . . . 'Il avait le sentiment du grand, mais pas du beau.' (P. 200.) And accordingly, except in one touching instance, in which, however, his sterner nature ultimately resumed its empire, we see nothing that bespeaks any strength or refinement of feeling. The exceptional case to which we allude, was his interview with Josephine before the divorce. When he represented to her that his family, his ministers, 'enfin tout le monde,' were in favour of a divorce, and concluded by asking, 'Qu'en dis tu donc? cela sera-t-il?' The reply of the wife was as eloquent and

pathetic as love and sorrow could make it: ‘Que veux tu, que j’en dise?’ Si tes frères, tes ministres, tout le monde, sont contre moi, et il n’y a que toi seul pour me défendre.’ . . . ‘Tu n’as que moi pour te défendre,’ he exclaimed with emotion; ‘Eh bien! tu l’emporteras.’ It is a blot which can never be effaced that he broke this engagement, and brought himself to cast aside the only tie of real affection which appears to have bound him to humanity. It was in harmony with his character to have rejected the supplications of the attractive and excellent Queen of Prussia, and to have told her roughly, when she entreated an asylum for her children, that Magdeburg was worth ‘one hundred queens.’ But to have thrown off the woman who had been his faithful and devoted companion in his early struggles, and during all the vicissitudes of his varying fortunes, showed a hardness of nature which we cannot pardon. He seems, indeed, to have been conscious of this. To M. Gallois he said, ‘Je n’aime pas beaucoup les femmes, ni le jeu: *enfin rien*; je suis tout à fait un être politique.’ With our habits and feelings, and with examples before us drawn from our own time, we cannot persuade ourselves that, in order to constitute the character of a ‘happy statesman,’ any more than that of a ‘happy warrior,’ it is necessary that the affections and sympathies should be blunted or extinguished. Elevation of mind is inconsistent with any such unnatural sacrifices, and without elevation of mind true political greatness cannot exist.

Lord Holland gives us some insight into the intellectual pursuits of Napoleon. He was fond of French tragedy, which he loved to read aloud. We cannot agree that, because he admired Zaïre, he must therefore have admired the other works of Voltaire. On the contrary, we think that the use to which he had turned the pen of Geoffroy, in furnishing replies to the Encyclopédistes, and particularly to him whom we cannot join Lord Holland in calling ‘the great and calumniated philosopher of Ferney,’ was founded upon a real dislike. There was an antagonism between the genius of the two men; and the ‘esprit moqueur’ of Voltaire must have been essentially antagonistic to one who, like Napoleon, was familiar with the stern realities of life. He condemned Rousseau unreservedly. ‘A conversation’ reported by Lord Holland to have taken place between Napoleon and Stanislas Girardin is full of interest. ‘C’était un méchant homme, ce Rousseau. Sans lui la France n’avait pas eu de révolution.’ To an observation made by Girardin, that he had not been before aware that Napoleon considered the Revolution so unmixed an evil, Napoleon replied, ‘Ah vous

' voulez dire, que sans la révolution vous ne m'aurez pas eu.
 ' Peut-être — jc le crois — *mais aussi la France ne'en serait elle*
 ' *que plus heureuse !*'

His favourite studies towards the close of his life were French tragedy, the *Odyssey*, and the Bible. We are informed that he had not been previously very conversant with the Old Testament, ' and that he was surprised and delighted, provoked and diverted at the sublimity and beauty of some passages, and what appeared to him the extravagance and absurdity of others.' (P. 306.) There seems to have been in his mind a strange combination of religious convictions with thoughts of a different nature. The former appear to have predominated, and to have acquired strength as he advanced in life, and experienced misfortune. At Fontainebleau he stated as a final reason against suicide, ' Je ne suis pas entièrement étranger à des idées religieuses.' He refused to admit the administration of the Holy Sacrament as part of the ceremonial of his coronation, because he considered ' that no other man had a right to say ' when or where he (Napoleon) would take the Sacrament, or ' whether he would take it or not.' It is singular that he should have entertained this feeling some years before the British parliament relieved the most religious country in Europe from the disgrace and impurity of the sacramental test. The imperial captive in his latter moments was not likely to have derived much guidance or consolation from the two Roman Catholic ecclesiastics who formed part of his establishment. Perhaps they were sent in vengeance for the Pope's imprisonment at Fontainebleau. They were so utterly ignorant that one of them described Alexander the Great as the most fortunate of Roman generals. We have not sufficient means provided in this work, or elsewhere, to enable us to decide whether his mind did ultimately embrace a full religious conviction, and whether in his decaying strength he was supported by religious consolations. We are willing to believe what we earnestly desire. If he died a Christian, we may most truly add, in the verses of Manzoni:—

‘ — più superba altezza
 Al disonor del Golgota
 Giammai non si chinò.’

We now close this article, which has been protracted beyond our proposed limits. But we have found the intrinsic interest and importance of the book increase as we proceeded. We approached our task with much curiosity, and with most favourable anticipations. We have read the volume with gratification, and with instruction. We have pointed out

where we differ. We have done so respectfully, but with freedom. We felt ourselves the more authorised to take this course because the book can well afford to abide by the results of examination, and also because, in performing our duty with honest frankness, we are following the course that Lord Holland himself would have most approved.

ART. VII. — 1. *Legge Sicardi sull' Abolizione del Foro e delle Immunità Ecclesiastiche.* Torino: 1850. 8vo.

2. *Rappresentanza dell' Avvocato Generale di S. M., e successivo Decreto del Magistrato d'Appello relativo a Monsignor Luigi Fransoni, Arcivescovo di Torino; e Requisitorie dell' Avvocato Fiscale di Cagliari, col Decreto in Proposito del Magistrato d'Appello di Sardegna, relativo a Monsignor Arcivescovo E. Marongiu Nurra.* Torino: 1850. 4to.

THE controversy now pending between the Sardinian and the Papal Governments would have been deemed very uninteresting to Englishmen,—although so much resembling that between Henry II. and Thomas à Becket as to the points in dispute,—had not recent circumstances awakened their attention to the conduct of the Pope towards independent States. A short statement of the facts which have given rise to this dispute may not, therefore, be unacceptable. From those facts Englishmen will draw their inferences; and not only judge of the merits of the question, but of the motives and feelings of the contending parties. The question is not religious, but political; and, whatever polemical colouring may be thrown into it, concerns alike every member of an independent State, whether Roman Catholic or Protestant.

The Sardinian Government and the Pope had originally two causes of disagreement: one, respecting the right of the Legislature to pass laws and of its several members to vote and act as they should consider it their duty; the other respecting the right of the Administration to enforce the execution of certain laws in Sardinia Proper. Time has brought to light a third cause of dissatisfaction, in the *vexata quæstio* of Education; nor will his Holiness have any difficulty in discovering more, should he find it expedient to look for them. A tool in the hands of France and Austria, and the agent of a Holy Alliance worse than that of 1815, the Court of Rome will stop at nothing, so long as it feels that the very abuse of her spiritual powers helps on her pretensions, and injures the cause of rational liberty, of steady progress, and of solid education. The conformity of feeling of the Court of Rome with that of Vienna towards Piedmont

became evident from the moment that Austria bartered for the spiritual support of the Pope the temporal rights, which the Imperial Government had hitherto carefully guarded against the encroachments of the Bishops of Rome. The cause of Sardinia, viewed according to its different aspects, is the cause of civil liberty against clerical despotism, and of national independence against an insatiable Power, unscrupulous alike as to ends and as to means.

When, in 1848, the late king, Charles Albert, gave his kingdom a constitution, among the rights which he secured to his subjects was that of equal administration of justice through judges appointed by the crown. In order fully to appreciate the importance of a right, in which the essence of good and impartial government consists, it is necessary to have lived in a country where its blessings were unknown. There existed in the dominions of the king of Sardinia various privileges by which ecclesiastics in several cases, both civil and criminal, were taken from the jurisdiction of the judges of the land, to be tried before judges of their own, not named by the king. Besides this, churches, convents, and other similar places, afforded shelter to persons accused of various crimes and misdemeanours, the civil power being prevented from executing the law within certain precincts, to which, as occasion required, constables and gendarmes were accordingly obliged to lay siege. It was evident that the constitution and privileges like these could not coexist; besides, their injustice and inconvenience, and the expediency of their abolition, had been abundantly established in former times. Before the enactment of the constitution, negotiations had been unsuccessfully opened with the Court of Rome, with the view of inducing her to acquiesce in the requisite alterations in the law of the country. In 1848, when the Pope himself had abolished in his own dominions exceptional jurisdictions, a Sardinian minister was again sent to Rome. Cardinal Antonelli, who had been entrusted with the negotiation on the side of the Pope, proposed, as the only basis on which His Holiness would consent to an arrangement, terms which precluded any possibility of coming to an understanding. In the hope that a confidential agent might remove the difficulties, the Abate Rosmini was then named, but with no better success. Nor was M. Siccardi, the author of the law of which we shall speak presently, more fortunate in his mission, undertaken partly with this object at a still later period. It is due to the conciliatory and deferential spirit shown by the Sardinian Government, that these facts should be known. Nations ought to profit by this knowledge, and learn that papal Rome is only afraid of those who do not fear her, and yields to those alone who will not yield to her. Her strength consists in the weakness of such parties, as ignorant of their own

rights, or timorous in defence of them, increase her power by giving way.

The so-called *privilegium fori*, and the *jus asyli*, have no other foundation than the deference of laymen to ecclesiastics. Some early Christian emperor, as a mark of regard for the episcopal character, authorised the bishops to act as referees between parties who submitted to their jurisdiction.* In the course of time, *sensim sine sensu*, the referee became invested with judicial character, and subsequently with a jurisdiction over parties whether they would or not. As a matter of course, officers, &c. grew with these anomalous courts. And thus an *imperium in imperio* was established, with a claim of paramount authority in the Church over all *spiritual* causes; strengthened by the still more audacious claim of deciding what things and questions were *spiritual* and what *temporal*,—and even what temporal cases belonged to the Church *in ordine ad spiritualia*. In the same manner arose the *jus asyli* or sanctuary, well known to pagan Rome, and too well known to Greece.† At its earliest acknowledged existence among Christians, it was the subject of civil, not of ecclesiastical laws; and its beneficial effects must always have been proportioned to the lawlessness and violence of barbarous times. Presently those who afforded shelter claimed the right of regulating it. In this manner ecclesiastical jurisdiction on the subject crept on, until what was originally tolerated by the State, came to be claimed as a right by the Church. When governments experienced the necessity of getting rid of this among other thralldoms, and of recovering some of their many rights usurped by the priesthood, they found themselves opposed by a power often stronger than their own. To put an end to the many and fatal controversies between kings and popes, the former, in an evil hour, and certainly not from religious motives, submitted to *concordats*.‡

* *Si qui ex consensu apud sacrae legis antistitem ligare voluerint, non vetentur, sed experiantur illius in civili dumtaxat negotio more arbitri sponte reddentis judicium.* L. 9. Cod. de Episc. aud.

† Crescebat enim Graecas per urbes licentia atque impunitas Asyla statuendi: complebantur templa pessimis servitorum, eodem subsidio obserati adversus credidores, suspectique capitalium criminum receptabantur. Tacit. Ann. iii. 60.

‡ The Jesuits have lately published in Italy a *Catechismo Filosofico*. The dialogue on ‘Constitutions’ contains instructions for kings, how far they may go with a safe conscience in breaking the promises, which they have made their people. In cases beyond the line, they have only to apply to the Pope for help:—‘Where any doubt arises, the head of the Church is by God authorised to annul the oath, and relieve the conscience of a prince, believing the Church

No State ever signed a concordat without signing away some of its rights, and legalising, as it were, some usurpation to the advantage of Rome. Even Napoleon, in the famous concordat of 1801, increased,—so far as in him lay, and to an extent hitherto unknown in the Roman Catholic Church,—the papal despotism: And, supported by that concordat, the Pope assumed the right of depriving of their sees many French bishops, who held them as independently of the Pope as he himself held that of Rome. This precedent had probably escaped Dr. Wiseman, when he spoke so confidently of the independent tenure of his archbishopric. The Pope who, against all precedents and all canons, has assumed the right of erecting bishoprics in England, and of destroying, by his sole will, the canonical diocesan partition of this kingdom, may, after the precedent of 1801, find it very easy to dismiss the bishops whom he has so uncanonically appointed. Nor is it to be forgotten that, should a pope sign a concordat which he or any of his successors might deem too unfavourable to the Church of Rome, they can always claim the right of not being bound by it. Napoleon signed a concordat with Pius VII. in 1813; yet Pius VII. himself soon afterwards repudiated it. So, at a former period, and after Benedict XIII. had approved of the clauses of an agreement between himself and the king of Sardinia, in 1727, his successor, Clement XII., found out a variety of flaws in the convention, in order to avoid being bound by it*: in which experiment Rome so far succeeded, as to force at last the king's government to come to new agreements with Benedict XIV. and Clement XIII. It is manifest, therefore; in the first place, that the conclusion of a concordat is no security for the civil power; secondly,—since no one can with decency pretend that any treaty is binding on one only of the contracting parties,—that no civil government ought to tie up its hands by entering blindfold into treaties where no reciprocity can exist.

*has just reason for doing so.' Most assuredly the Pope will act as liberally by himself in any difficulties of his own, as, in spite of Pascal, his sponsors still undertake for him, that he is ready to act in the case of others.

* See a curious 12mo, without place of printing, dated 1733, 'Défense du Siège Apostolique contre les Concordats sur les matières de Savoie et de Piemont arrêtés et signés par le Cardinal Fini et le Marquis d'Ormea.' It is the most precious morsel of chicanery, perhaps, in existence. Fini is disavowed, and the memory of Benedict XIII. is so treated by this apologist of the Court of Rome, that, were Dante to travel once more in the lower regions, the poet would surely find there this unhappy pope, in company with several of his predecessors, left there by him on his former journey.

It is not therefore to be regretted, as it would at first sight appear, that the obstinacy of the Papal Court drove the Sardinian parliament to legislate *proprio vigore* on the points in dispute. In so doing, it did no more than the governments of France had done from the most ancient times; no more than had been done by Austria, in whose dominions neither the *privilegium fori* nor the *jus asyli* were or are even now recognised. Indeed, we believe there is no Roman Catholic country in the world, where similar pretensions on the part of Rome are not matter of past history at the present day. It is, therefore, a most absurd as well as a most scandalous outcry which has been maliciously raised by the Papal hirelings against the Siccaldi law. The only effect of that law is to place the Sardinian kingdom on exactly the same footing as other Roman Catholic States with respect to Rome. That law enacts:—Firstly, that all civil suits, without exception of persons or of things, shall be tried by the civil courts: Secondly, that all clergymen shall be subject to the criminal laws, like other subjects, and shall be tried accordingly by the judges of the land: Thirdly, that any person legally liable to arrest, shall, if absolutely necessary, be seized even in a church or in any other place hitherto enjoying the privileges of immunity. The capture is, in such cases, to be executed with all the respect due to the place, and the rector or other minister of the church is to be forthwith informed of what has occurred. This is the substance of a law, fully, freely, and temperately debated in both Houses of Parliament, by ecclesiastics as well as by laymen. The clergy might indeed be said to have thus acknowledged the competency of the legislature to decide the question; since no clergyman would have taken part in a parliamentary discussion compromising undoubted spiritual matters.

The law was passed by large majorities in both houses; but no sooner was it sanctioned by the Crown than the Archbishop of Turin, Monsignor Fransoni,—brother of that Cardinal Fransoni who, as Prefect of the *Propaganda*, condemned the Irish Colleges with so much *gusto*,—advised the clergy to declare, on appearing before the Royal Courts, that they did so *by his leave*. He moreover circulated, even out of his diocese, sundry opinions of anonymous divines, by which it was laid down,—that whoever had any share in either passing or executing that law was, *ipso facto*, excommunicated, and that to the Pope alone it was reserved to give absolution for such an enormous sin. The excommunication included every body holding any office, from the king and the legislative body downwards.

Such was the state of affairs when Count Santa Rosa, one of the members of the government by which the law was proposed

and carried, fell ill. A friar, vice-curate of the parish where Santa Rosa lived, before administering to him the last Sacrament, required of him to condemn what he had done as minister of the king. This he refused. Upon which, notwithstanding, the friar, after muttering a few unintelligible words, administered the Sacrament. The rumour was then piously spread that Santa Rosa had complied with the required retraction; however, on his recovery, he exposed the trick of the friar's soliloquy, and the untruth of the report which it had originated. Soon after, falling ill again, he confessed, and was absolved; when, upon his asking for the last Sacrament, another friar, the curate of the parish, insisted on his first disapproving and condemning in writing the part he had taken in the passing of the law. Santa Rosa, a sincerely religious man, and desirous of being reconciled to the Church, consented to give an explanation (*dichiarazione*) of what he had done as minister; the curate recognised and attested the document which Santa Rosa signed, and of which the following is a translation: —

' Since, to administer the Sacrament to me, an explanation (*dichiarazione*) is exacted from me on the subject which has formerly been publicly discussed, and seeing that my silence would be an impediment to my receiving the Sacrament, I solemnly and conscientiously declare that I took a share in the acts of the government as a public man; all doubts occasion to which could have been given towards God having been sufficiently discussed with my confessor.'

The archbishop on receiving this document from the curate, returned him the following answer: —

' The explanation presented to me is of no use. It is only a justification of what has been done in opposition to the protest of the bishops of the kingdom, and of the head of the Church himself, the Pope. Even Calvin could not have objected to declare on his conscience that he had brought about the Reformation without meaning to violate the laws of the Church. A Catholic cannot help acknowledging himself subject to the laws of the Catholic Church; and when he has taken a part in acts forbidden by those laws, he cannot do less than *publicly retract* them. He might, perhaps, say that in taking a part in such acts he did not think he was violating such laws, but that, not being a competent judge of it, he might be mistaken; and that, under such circumstances, wishing to die in the Catholic, Apostolic, Roman faith, he intended to disapprove and retract what he had done.'

' Here is the utmost that could be tolerated. Writing, however, in the haste I do, I fear I give way too much. In conclusion, dear father curate, bring the unhappy man to reflect that his eternal welfare is at stake; and entreat him, for Jesus' sake, not to allow

himself to be led by worldly motives to lose his soul, with the loss of which every thing else is lost for ever.

‘ May the Lord hear us: pray to Him. I shall do so likewise. I remain, &c.’

There is a portion of this instructive specimen of clerical diplomacy worthy of special attention. For the purpose of being in a condition to refuse the administration of the Sacrament, even though the retraction which he dictated were signed, the archbishop, it will be observed, keeps a retreat open;—‘ Writing in the haste I do, I fear I give way too much.’ (Seppure nella fretta con cui scrivo la presente non facilito ‘ di troppo.’) The proof that, far from writing hastily, Monsignor Fransoni had, whilst Santa Rosa was fast sinking, taken his time and weighed leisurely every word he used, fell into the hands of the government when he was arrested and his papers seized. Among them were found *two* drafts of this letter *written post haste*. That he designcdly intended to refusc the Sacrament, even though his terms were complied with, and that his only object was to insult the government and obtain a retraction,—not with a view to the spiritual welfare of Santa Rosa, but to gratify his own vanity, and to boast of a triumph over a dying man filling a high office in the State,—is manifest from what followed.

It seems that Santa Rosa’s confessor was a better ecclesiastic than the father curate, a better divine than the archbishop, and a much better Christian than either or both together. Anxious to find a way of terminating this distressing, uncharitable, and irreligious discussion, he obtained from Santa Rosa a promise to sign a *declaration* exaetly as the archbishop had ‘in haste’ suggested. It was as follows:—

‘ I declare that I have conscientiously taken part, as a public man, in the acts of the government, being convinced that I did not violate the laws of the Church; were it otherwise, I mean nevertheless to die in the communion of the Catholie Apostolie Roman Church, submitting my judgment to that of the Catholic Church and her Head, Christ’s Vicar, the Roman Pontiff.’

This document, to ordinary apprehension as full and ample as the archbishop had, not hastily but deliberately, prescribed, was forwarded to the father curate by the confessor, with this note:—

‘ Here is the declaration, which he [Santa Rosa] is ready to sign: I beseech you, in God’s name, to render it palatable to the right person [the Archbisliop], and to obtain his consent to administer the last Sacrament [to Santa Rosa]; for the illness increases, and I should grieve at his dying without those religious comforts which he so ardently desires.’

But *the right person* was obstinate; and even this declaration, now that Santa Rosa was ready to sign it, was rejected: the curate went to the bed of the dying man and told him that he should neither receive the Sacrament nor be buried in consecrated ground, if he did not retract in the very manner and terms fixed by the archbishop. The physician entreated this thorough priest (and more, for, as we said before, he was a friar) to allow his poor patient to die in peace. His reverence seated himself on a sofa, and beheld, unmoved, the Countess Santa Rosa kneeling at his feet, surrounded by her husband's relations, imploring him with tears to yield. The friar showed no symptoms of human weakness:—

Non san quel che sia amor, non san che vaglia
La caritate.

He declared that his orders were peremptory, and he obeyed them without reluctance. Santa Rosa died, ‘unhousel'd, unanointed, unanel'd;’ and, in consequence, the curate refused to give Christian burial to the mortal remains of one who, but for the agitation from this brutal treatment at the hands of a minister of the Gospel, and by the command of an archbishop, might be still among us,—a pattern still of patriotic virtues and Christian piety. The burial, said the friar, could not take place without the archbishop's permission. Such conduct disgusted all good and well-thinking men; and the government was preparing in earnest to put an end to this cruel and intolerable abuse of power on the part of an arrogant and unworthy successor of the Apostles, when the archbishop found it convenient to retrace his steps. Having so far insulted the King as to refuse to one of his ministers the last religious consolations, because he had conscientiously served his sovereign and his country, Monsignor Fransoni, now consented to his being buried in consecrated ground; and did so, on the strength of that very same declaration which had been so recently rejected. What can be more terrible, than the intemperate and wanton exercise of such a power at such a time? If the conduct of the Archbishop of Turin were really canonical;—if it be true that a Roman Catholic bishop has the right to judge the political conduct of a minister;—if it be a tenet of the Roman Catholic religion that the servants of the Crown are responsible for their conscientious advice not to their sovereign and country, but to their bishop and to the Pope, it is difficult to see how a Roman Catholic can ever faithfully serve any independent sovereign—for example, the Crown of England. This is a point which must come home to every Roman Catholic gentleman.

Had the King's government submitted, there would have been as many kings as bishops—and there is a fair sprinkling of them—in the kingdom of Sardinia: and the House of Savoy would have escaped to reign, as Napoleon used to phrase it. No government could advise the King to abdicate in favour of the bishops. If so advised, the King would, we should hope, have found in the traditions of his illustrious race and in the generous blood which runs in his veins encouragement to demur. The archbishop had usurped the kingly power and more; and the ministers would have deserved to die the death of traitors had they hesitated in confronting the usurper, and making him amenable to the laws which he had outraged. As there were innumerable instances of such usurpations on the part of prelates abusing their power; so there were precedents of faithful and fearless ministers who had taken the proper measures for the prevention of such abuses, as well as precedents also of courts of law which had visited with proper punishment the guilty parties. These precedents, founded on the principle of self-preservation, were to be met with in the Records of Justice of the kingdom of Sardinia, in those of other States of Italy great and small, and even in those of His Most Catholic Majesty. The specific, which we should be very sorry to see a Protestant government forced to apply, had generally been found to be the sending the bishop out of the country of which he showed himself a dangerous and insidious enemy, and the taking care in the meantime of the property of his see. In Sicily, under the most bigoted government, in 1713, the viceroy did not hesitate to turn out of the kingdom, without any trial, the Archbishop of Messina, as well as the Bishops of Catania and Girgenti: the same was done with respect to the Bishop of Alghero by the Sardinian Government in 1640; and the Republic of Genoa, in 1759, set a price on the head of the Bishop of Scgni. The present attorney-general of the King of Sardinia, proceeding more legally and more moderately, yet not less resolutely, filed an information against the Archbishop of Turin, calling upon the Court of Appeal of Piedmont to apply the law. Accordingly,—two sections of that high tribunal having been joined, in order to try the case with the utmost solemnity,—they proceeded in conformity to established principles and in the regular form; and after mature deliberation, adjudged the sequestration of the temporalities of the archbishop, and his removal from the kingdom. No judicial sentence was ever pronounced more solemnly; never was one received with more general satisfaction. The archbishop withdrew to France. The republicans of that State, whose piety and deep religious feeling are too well known, welcomed with their sympathy a

prelate who would have been too happy to revolutionise his country, and to supersede his king.

Whilst this was taking place at Turin, the Court of Appeal of the Island of Sardinia was moved to proceed against the Archbishop of Cagliari upon other grounds. The misgovernment of the Island of Sardinia has been, up to a very recent period, of such a nature as to defy comparison in the history of nations. The condition of the Church, and that of the public charities, mostly managed by the clergy, were worthy of the rest. Nothing was so much wanted as a remedy to these special evils. Among other things, a commutation of tithes, a more equitable distribution of the ecclesiastical revenues, and a better use of those of charitable institutions, were imperatively called for. To ascertain correctly the actual state of facts previous to the constitutional system being introduced, the government of Charles Albert considerably appointed a commission. All the bishops communicated to it the information required of them,—the Archbishop of Cagliari excepted. He stood out: first of all threatening the commissioners with excommunication, and then directing the clergy to disobey the law, and ‘to pray in tears for the great ‘tribulation of the Church:’ the ‘tribulation’ being his Grace’s fear of having to apply her income in a manner more in conformity with the intention of the testators, founders, or patrons. On the commissioners finding themselves unable to get from him the accounts they wanted, the courts of law interfered, and Monsignore was obliged to pay the expenses of the suit. The archbishop is, it seems, a wag; for, in answering one of the commissioners’ letters, he informed them that if they wished to be absolved from the excommunication which they had incurred, he was ready to exercise on demand the special powers with which he had provided himself for the purpose. Such grave impertinence needed only to become public, to be laughed at and despised. The officer of the Court of Appeal, with whom it rested to take all necessary measures upon the commissioners being resisted, applied to the office of the Accountant of Charitable Institutions for the information which the Court had directed to be supplied; who, having ascertained that he could not conclude his business in one day, scaled the account books and retired, intending to continue his operations on the morrow. When he presented himself, he found affixed on the door of the office a sentence of excommunication which had been pronounced by the Archbishop of Cagliari against him, his superiors, and attendants. The excommunication included king, ministers, judges, ushers, constables, the army and navy—in fact all the powers of the State. Matters were thus brought to a simple issue, be-

tween the sword of the Civil Magistrate and St. Peter's keys. This extraordinary document was published on the 5th of last September. On the 21st the Court adjudged (as did that of Turin on the 25th) that his Grace of Cagliari should be removed from the Sardinian territory, and the property of his see taken care of by the State, if within twenty-four hours he did not withdraw his excommunication. As he did not do so, he was civilly invited, on the 23rd, to step on board a steamer which had fortunately arrived at Cagliari on the very day before, and on board of which he was accordingly received with due honours. We understand he was respectfully landed at Civita Vecchia, whence he went to lay his grief at the Pope's feet. His Holiness published thereupon, on the 1st of last November, a lachrymose allocution, to unburthen his mind to the cardinals, to keep up the spirits of the bishops, his brethren, and to make it appear that the poor Catholics of Sardinia are under even a worse government, than the Protestant rule of Queen Victoria can be represented to be as yet by Doctors Wiseman, Ullathorne, and Newman.

It is difficult not to feel indignant at such perversion of truth and affectation of being the injured party. From the Pope's allocutions, the Italian archbishops' pastorals, and Dr. Wiseman's addresses, we might infer that the Sardinian Government is as cruel as that of the French Convention in 1793, that the embers of Queen Mary's faggots have been lighted in Smithfield, and that Dr. Ullathorne is going to be sent to take the place of the martyred heretics of old. It is because the present Government of Sardinia is a just, a mild, and a constitutional government, that the bishops of that kingdom, as well as the Pope himself, dare to talk so pathetically of their's and the Church's miseries and misfortune. It is because the Roman Catholics find in England not only the fullest toleration, but the most perfect equality of rights, civil, religious, and political (which, we trust, they always will do), that their priesthood venture on assuming new territorial titles, and their cardinal is seen parading here his new un-English honours.* Their first step was to misrepresent the

* The Court of Rome has been thrown into as great an excess of joy by the late partial successes of the Tractarians, as formerly on the accession of Queen Mary. And with less reason: for, while Dr. Lingard has recorded, from the dispatches of foreign ministers, that the English of the sixteenth century were so indifferent to religion, that they were quite as ready to become Jews or Mahomedans, he can himself bear witness that they are animated by a very different spirit at the present day. Foreign potentates are said to have been congratulating Dr. Wiseman on his un-English honours. Under the circumstances of the case, these foreign compliments are natural enough.

English nation as returning into the Roman fold; and next, when we vehemently protest against the falseness of the statement, and against the unwarrantable encroachments grounded on it, they raise the cry of ‘persecution,’ or suppose a ‘clamour for penal laws.’ There is as wide a difference between the Church of England, (the great Non-Traetarian majority at least,) and that of Rome, in its bearing towards Dissenters, and in its favourable tendencies towards religious equality, as there is between the Government of Queen Victoria and that of Pius IX. The English Roman Catholic bishops are as well aware of this as we are.

And so is the Pope: yet the Pope knows when to open and when to shut his eyes. When the Austrian Government caused two bishops — that of Neuhaeusel (in Hungarian Vivar, in Latin Neosolum,) or Neusol and of Grosswardcin — to be condemned to death, his Holiness, who shed so many tears for the Sardinian archbishops, had neither a word of sympathy for the victims, nor one of reproach for the executioners. The Neapolitan Government persecuted the peaceful monks of Monte

But as many of his countrymen as have done so, have degenerated from the jealous vigilance of their ancestors.

What, in the reign of Henry V., was the conduct of Archbishop Chichele, the founder of All Souls? Blackstone tells us that ‘he prevented the King’s uncle from being then made a cardinal and legate *à latere* from the Pope; upon the mere principle ‘of its being within the mischief of papal provisions, and derogatory from the liberties of the English church and nation; for, as ‘he expresses himself to the King in his letters upon that subject, ‘“he was bound to oppose it by his liegeance, and also to quit himself ‘to God, and the church of this land, of which God and the ‘King had made him governor.”’ And of Henry V. himself, we are told, that ‘he liked not advancements from Rome: insomuch, as perceiving the Bishop of Winchester to aspire to a Cardinal’s Hat, he said, ‘“That he would as well lay aside his own Crown, as allow the Bishop ‘to take the Hat.”’ It is true that the bishop was afterwards made cardinal, and, by consent of parliament, one of the King’s council: but on what conditions? ‘On protestation, that he would absent ‘himself from the King’s council when any matters were to be treated ‘between the King and Pope.’ Neither Beaufort nor Wolsey, nor the gentler spirits of Fisher and Pole, ever reconciled the English people to the importation among them of this suspected dignity even in Roman Catholic times. And,—as regards the new naming of the Bishops,—we can see no sufficient ground why the reasons alleged by Fuller (A.D. 1630) for the different course taken by the Pope concerning bishops in England and in Ireland, should not have still prevailed. The forbearance which the Government has shown in not applying the strict letter of the law to Ireland, ever since Lalor’s case had declared it, proves the tolerant acquiescence of the English Government in this distinction.

Cassino under his Holiness's eyes, who was gratefully blind and dumb ; and as to the Duke of Parma — whom we have seen here shunned in that society to which, 'but for the accident of his birth, he would never have been admitted — he, too, plundered and persecuted the learned Benedictines of Parma, and the honest Lazarists of Piacenza, without a disapproving word from the Holy See. But Austria supports by troops, as does the Duke of Parma by imitation, that pattern of corrupt government, the Pope's ; whilst England cheers on the King of Sardinia and his loyal people striving to introduce that species of government against which the Popes have uniformly waged war — a government founded on the *unabsolvable* obligations of equal justice and of strict integrity on the one side, and of undivided allegiance on the other.

To these 'unspeakable' grievances, at the hands of Sardinia, his Holiness added a third in the aforesaid tearful allocution of the 1st of November. It related to the law of the 4th of May, 1848 ; against which not a word had been breathed before. On the expulsion of the Jesuits, the Sardinian government, instead of confiscating their property,—as the Duke of Parma has done that of the Benedictines, to his own private advantage,—applied it to national education. By the law of the 4th of May, 1848, a system of education was established ; and certainly priests cannot complain of not being admitted to the fullest share of power and influence under it : for, among other dispositions, it is prescribed (Art. 15.) that none but Roman Catholics shall be admitted to the national colleges, and that the chaplain in each of them shall give a course of lectures on religion (Art. 16.). As, however, the government reserves to itself the appointment of the authorities of the colleges, *hinc illæ lachrymæ !* Rome, in Piedmont as in Ireland and in Belgium, is seen endeavouring to grasp a power which, from its having been exercised in a less degree, sometimes with the consent, at other times with the express concurrence, of the temporal powers, she, as usual, now claims as one of her rights — granting out, now and then, as a favour, to the temporal governments, a part of what she had taken from them only through their supineness. In ancient times no such pretensions were known. At a Council of Paris in the 9th century, the Emperor was beseeched most humbly to complete some schools, of which the assembled fathers did not attempt to reserve to themselves the patronage. Frederick II. founded the University of Naples, to counteract the influence of that of Bologna, which supported the Pope, and which he forbade his subjects to attend ; and, in our own times, the Pontiff has never presumed even to ask — up to this very

moment, except in Ireland, — the smallest share either in fixing the *curriculum*, or in the appointments of professors and lecturers.

What further steps his Holiness will take no one can foresee. The population of Piedmont in general seems as religious as ever; that of Turin is apparently even more religious than before, from the time that the archbishop went to fraternise with the French republicans. Ten bishops have entreated the Pope to put an end to a state of things, which may teach the Roman Catholic world how easy it is to dispense with bishops, and how a better use may be made of the episcopal income than they make themselves. It seems, from the Pope's own bull, that it was owing to the encouragement which he had received from the Virgin 'Mary and the Old Patron Saints of England' that he so quietly determined, as a matter of course, on partitioning our country into dioceses; and this in the teeth of the Queen and of her Government. There is no knowing what a man who acts on such advice may determine on doing; nor can he himself foretell the lengths he may be advised to go. We may in the meantime surmise, that should the advice come through an Austrian or French minister, it might acquire a peculiar colour; and might induce Pius IX. to behave towards Sardinia very differently from what he would do, were the message to come directly to him from his celestial advisers. In any case, we trust that the foregoing sketch of facts will enable our readers to anticipate what they ought to expect from the soundness and justice of the advice, as well as to appreciate the honesty of those who act upon it.

As the Pope has so imprudently brought the question to our own doors, we wish to add a few words, principally historical, for the consideration of our Roman Catholic fellow countrymen. In this sense we rejoice to see that Dr. Twiss has announced a treatise on 'The Letter Apostolic of Pope Pius IX. considered with reference to the Law of England and the Law of Europe.' It is almost equally for the interest and honour of all parties that the question should be put upon its proper grounds, and kept there. The perpetual conflict between the Ecclesiastical and Civil Power is one of the most instructive chapters in mediæval history. It is one too, to which all societies must be more or less exposed. 'What severs each,' so few have learned. But there is less excuse for misconception, whichever ecclesiastical encroachments take the form of foreign interference.

Now the case of England was for ages that of Sardinia at present,—a contest with Rome for national independence. Previous to the Reformation, the two contending parties — those who opposed the usurpations of the see of Rome upon the Civil Power, and those who supported them — must have been both Roman Catholics: the difference between them being,

that the former were purely Roman Catholics, the latter Roman Catholics and also Papists. Any charge of 'divided allegiance' can touch only the last. As the character of these contests might be suspected of having ceased to be purely political with the Reformation, we confine our remarks to the law and policy of England as they stood before the Reformation; up to which time, they could be grounded on no possible Protestant jealousy of Roman Catholics, but simply on Roman Catholic loyalty to the State.

The Law of Clergy and of Sanctuary were freely debated before Henry VIII., early in his reign; when the Defender of the Faith would have been as much startled at the suggestion of any Reformation in religion as the most orthodox of his bishops. It was in vain, however, that Cardinal Wolsey threw himself at his feet in the name of all the clergy. The Tudor answered, as the Plantagenets and the House of Lancaster had often done before him: 'By the order and sufferance of God we are king of England; and the kings of England who have gone before us never had any superior, but God alone; and therefore know that we will maintain the right of our crown and temporal jurisdiction as well in this point as in others, in as ample a manner as our predecessors have done before us: and as to your decrees, we are well assured that you yourselves of the spirituality act in contradiction to many of them, as has been shown you by some of our spiritual counsel on this occasion; and besides that, you interpret your decrees at your pleasure; therefore we will not conform to your will and pleasure more than our progenitors have.'

Peremptory as is this language, it is not one whit more so than the parliamentary recital to the famous act of *Præmunire*, 16 Rich. 2. The suspicion of subservience to the Pope was so odious to the body of the people, that it was made one of the articles of deposition, in the persons of both Edward II. and Richard II. Our early legislation against this class of papal abuses succeeded as well as legislation can succeed in such cases. In the reign of Henry IV. it was adjudged that 'the Pope cannot alter the laws of England:' and when, in the weak reign of Henry VI., 'the Pope writ letters in derogation of the King and his regality, and the churchmen durst not speak against them, Humfrey, Duke of Gloucester, for their safe keeping, put them into the fire!' Speaking of the stat. 2 Hen. 4., Blaekstone observes that 'this is the last of our ancient statutes touching this offence.' And when, after proclamation, (4 Jas. 1. A.D. 1606), in the only case of *Præmunire* in the State Trials, Lalor, titular bishop of Kildare, was indicted,—for that he had received a bull at Rome, under colour of which he was

constituted Vicar-general, and exercised ecclesiastical jurisdiction,—Sir John Davis, Irish attorney-general, most particularly specified in his opening speech for the prosecution, his reason for passing over all intermediate legislation, and falling back on the old statute of 16 Rich. 2.

' We did purposely forbear to proceed upon any later law :
 ' to the end that such as were ignorant might be informed, that
 ' long before King Henry VIII. was born, divers laws were
 ' made against the usurpation of the Bishop of Rome upon the
 ' rights of the crown of England, well nigh as sharp and severe
 ' as any statutes which have been made in later times ; and that
 ' therefore we made choice to proceed upon a law made more
 ' than 200 years past, when the king, the lords and commons
 ' which made the laws, and the judges which did interpret the
 ' laws, did for the most part follow the same opinions in religion,
 ' which were taught and held in the court of Rome.'

Lalor was convicted and attainted. Whoever wishes to look further into the subject in this view of it—as a question of State and not as a question of Religion,—will find collected in Sir John Davis's speech (*Davis's Reports*, 83. and *State Trials*. vol. ii. p. 534.), the principles and precedents of our ancient Roman Catholic legislation on it.

- ART. VIII.—1. *Unsere Politik (Our Policy).* Berlin: 1850.
- 2. *Unsere Armee (Our Army).* Wien: 1850.
- 3. *Joseph von Radowitz, wie ihn seine Freunde kennen (Joseph von Radowitz, as his Friends know him).* Karlsruhe: 1850.
- 4. *Parlamentarische Größen von R. Walter, Art. v. 'Radowitz.'* (*Parliamentary Notabilities. By R. WALTER.*) Berlin: 1850.
- 5. *Gespräche aus der Gegenwart über Staat und Kirche (Dialogues of the Present Time on Church and State).* Stuttgart: 1847. •

THE intensity of the interest with which the affairs of Germany are now regarded almost incapacitates the spectator from a fair reviewal of the past and from a just judgment of the present. By the time these pages issue from the press, the actual peril of war may have passed by; the immediate responsibility of giving the word of conflict to Northern and Southern Germany may have checked at the last hour the spirit of dynastic or ministerial ambition, and have induced concessions and sacrifices of self-esteem, which no less urgent motives could effect. The solemn and sincere exhortations of other Powers may have sobered the dangerous chivalry of the youthful Cæsar, and inspired graver minds with the contemplation of

some wise and practical means by which federal Germany may be reconstituted in full security from external aggression, and in the enjoyment of the indefeasible rights and liberties of separate States. If, indeed, the healing of this great wound does not commence from below,—if the remedies consist in compromises of diplomatic parlance and substitution of governmental forms, the evil may only be increased by delay, and the new year may open on prospects of confusion among nations and disasters to mankind, in comparison to which sudden and passionate war may seem almost an advantage. If, however, the truth shall have at last made its way to the minds of the princes and statesmen of Germany, that the matter in which they are engaged is one which no authority or force can ultimately decide, and which can only find its solution in the adaptation of political forms to the political wants and national instincts of the peoples of Germany, then will the present menacing conjuncture be productive of inestimable good, and the commencement of a true peace for Central Europe may date from the crisis we now anxiously observe.

It is a theory frequently maintained, and possibly believed, in this country, that what may be called the German question is a political and poetical device, in which the King of Prussia has been encouraged by General von Radowitz, the Chevalier Bunsen, and some dozen Professors. This would hardly seem a sufficient cause to have brought into the field, face to face, two armies, each of about half a million of men, in a country and time in which no one man's mind is the supreme law; and perhaps it required some such demonstration as the rising of almost all Northern Germany against the pretensions of Austria to dispel this delusion. On the other hand, it is not indeed uncommon in Germany to hear the Prussian court and government represented as having so conducted this great scheme of polity, so reduced it from its natural scope to an experiment of Prussian supremacy, so confounded it with cabinet disputes and the reputations of individual men,—so, as it were, taken the heart out of the whole affair, as to have forfeited all claim to be the protagonists in this solemn conflict. But the recent attitude of the Prussian people is the best apology for its rulers, as regards the object they are supposed to have had in view; and, while it asserts to Europe the sincerity of their German nationality, it must impress on their fellow-Germans the true value of their leadership in the common cause. Again, although the equitable Constitution of Germany remains the main ground of dispute, the original points of difference have become complicated with new indignities and dangers. The question, which finally provoked the threat of hostilities, and on which, in truth,

for an instant, swords were drawn, affected in its issue the right of the people of an independent State to maintain their own constitution against the violent intrusion of an unrecognised federal power, superseding their own authorities and their own military force at the sole bidding of an unpopular sovereign and a hateful minister. Under these circumstances, the question for Prussia has been enlarged, and is now not only 'Can we have a "true Germany?"' but 'Shall we have a false one?'

It is the misfortune, to say the least, of the Prussian government, to have so acted as to have presented to the public opinion of Europe almost exclusively such of its points as are either weak or reprehensible. Those vacillations of conduct, which are not only pardonable, but even indicative of an amiable tenderness of conscience in an individual mind, become fatal to public respect when applied to great affairs of State, implicating the interests of masses of men. The over-refinement of the moral perceptions of a ruler may work as much injury to his people as the most unbridled will; and the best intentions may fail in securing to their owner even such regard as goes with firmness and energy, though in an unworthy cause. It is thus that the endeavours of the government of the King of Prussia to bring about by diplomatic means the results which it refused to accept from the ruder hands of the parliament of Frankfurt have not merely been unsuccessful: they have led to the very consequences which were then dreaded as the penalty of the acceptance. The imputation of ambitious aggression against the independent rights of other sovereigns, the charge of disturbing the great European settlement of 1815 and so risking a new distribution of States, and, above all, the possible necessity of an alliance with the democratic principle as an ultimate resource against the overpowering forces of absolutism,—all hang as heavy now upon Prussia as in 1849, and form the staple of *Unsere Politik*, a sharp and superficial diatribe of this policy of 'intentions,'*—while her advantages in undertaking the conflict are considerably diminished. The inestimable energies of that spirit of hope which seizes mankind at certain epochs, and which works miracles while it lasts, are not now to be looked for: a reaction, in some quarters the just return to an orderly and legal condition, in others the mere effect of arbitrary power and senseless terror, has come upon Europe; and the success of any war

* To judge from the style and phraseology, this pamphlet is by an Austrian hand; and the policy it upholds should be understood as meaning 'Austrian Policy.' We are assured it is the production of an inferior agent of Baron von Prokesch, the Austrian envoy at Berlin, under whose special patronage it appeared.

now begun must mainly depend on the ordinary conditions of material strength, strategic ability, and natural position. Nor could the relations of Prussia with the other German princes, even under the gloomiest impressions of rancour or revenge, have well been worse than they are at present. Austria has stood forth an avowed enemy, demanding submission and dictating conditions in a tone which *then* would have been simply ridiculous ; Würtemberg and Bavaria have entered into an armed confederacy with Austria, the former having abandoned the league of the Four Kings the moment immediate domestic danger was past ; while the gratitude of the Saxon court for the intervention of Prussian troops in the disturbances of 1849 has ended in a projected marriage with the house of Hapsburg, and in a second transportation of the treasures of the crown to the fortress of Königstein, this time to save them from the peril of Prussian invasion. The people of Saxony, otherwise so well inclined to Prussia, have been alienated in the meantime by the unsparing violence of the soldiery, who avenged in the streets of Dresden the outrage their honour had suffered at Berlin. Hanover hoards up her old memories of grievance against her powerful neighbour ; and, though she has retired into a nominal neutrality, makes no secret of the repugnance of both king and people to any scheme tending to the honour and dignity of Prussia. In one of the Mecklenburgs, the prince separated his people from the Erfurt Union ; and in the other the interference of the Union in destroying the popular constitution has practically produced the same effect. Of the lesser States, at the present moment, Prussia can only count with confidence on the friendship of Coburg and Brunswick, — and, perhaps, Oldenburg, as long as it is administered by its able minister, Mosle. Such are the relations with the governments of Germany that Prussia has won by two years of conscientious abnegation, by assistance gratuitously offered in the very hour of need, and by consideration of the interests of other States !

On the other hand, what has been the course of Austria and her energetic administration ? Just in proportion as the German States detached themselves from Prussia, the influence of Austria gradually rose, and the desire of re-integrating the Confederation under her guidance and protection became more distinct and avowed. If, therefore, she had availed herself of this advantageous combination to summon to Frankfurt a ‘ free ‘ conference ’ of as many States as chose to co-operate with her in establishing a federation which might serve either for the foundation of a general German organ, or for opening a discussion on the best means of re-constituting such an organ, it would not

only have been her right but her policy to do so. However aggrieved Prussia might have felt, she could not, with any show of reason, have objected to Austria playing with success the game she had herself attempted and failed in. But a bolder step was more agreeable to the character of Prince Schwarzenberg, and more in harmony with the political system of the Power with whom he had been brought for some time past into scarcely independent relations. The ally by whose arms Hungary had been saved to Austria, became by that act authorised to counsel, if not to dictate, in any arrangement in which Austria was a principal. The Emperor of Russia insisted on the strict and formal observance of the regulations of 1815 as the condition of any political constitution of Germany, which was to meet with his approval ; and the inconsistencies of human nature, corrupted by enormous power, permit us to believe that this opinion did not altogether spring from personal considerations, notwithstanding the destruction of Poland and the absorption of Cracow. The revival of the old organisation of the Diet agreed with these views : and thus Europe was startled by the sudden announcement, that Austria, in her quality of President, had summoned the members of the German Confederation to meet at Frankfurt, and proceed to business. Thus, while Prussia was losing her supporters day by day through an attempt to attain her object in conformity with strict regard to the existing historical rights of the smallest States, Austria leaped to her conclusion by an historical denegation. For in vain Prussia protested that, if such a claim as this could be advanced at all, it ought at least to have been brought forward during some of the negotiations of the last two years respecting the Federal Organ of Germany : but, on the contrary, neither during the Frankfurt Parliament, to which Austria had sent representatives, nor during the administration of the Austrian *Reichsverweser*, nor in the arrangement of the provisional administration, had it ever been assumed that there rested an ultimate and inalienable right in the *Plenum* of the Diet to revive into full action, the moment that the other forms expired or were disturbed. The Confederacy, indeed, existed in all its relations with Foreign Powers ; and to the plea that its very existence implied an organ, it was unanswerably replied that it had existed without an organ from June 21. 1815 to January 8. 1816. The reconstitution of an organ was on all accounts most desirable, but Prussia had solemnly pledged herself to several States that, as far as she was able to effect it, this should take place on some other and sounder basis than the old Diet ; and this was exactly what she was striving to do, — with Austria, if Austria so willed it, and, without damaging Austria, if she

chose to stand apart. Against this, Austria would only reply by the brutal reality of a *fait accompli*: while, unfortunately, the revival of the old Diet was most agreeable to the other Sovereigns, since they found in its regulations a defence against the encroachments of their people, without any of the constitutional leaven, which, in spite of Prussia's self, ever clung to the scheme of Prussian Hegemony. Foreign Powers also had found it inconvenient to have no distinct executive with which to deal on German affairs; and 'officious' counsel was, on the whole, more troublesome than 'official' responsibility. If, therefore, the thing were once done, and the *Plenum* re-established, it was hoped that any doubts respecting its legal origin would be readily overlooked or overruled, especially as it would command a sufficient force to intimidate cavillers.

There were only two chances unfavourable to this audacious policy. On one of them, the King of Prussia by submission to it might stretch beyond endurance the loyalty of his people: on the other, by boldly standing forth to vindicate at once the independent rights of constitutional States and the collective desires of the German nation, he might transfer the German question from its comparatively innocent ground, as an object of diplomatic discussion, to that of a popular cause, to be sustained by arms. Both these chances must have suggested themselves to Prince Schwarzenberg: but he seems to have disregarded them, as too improbable to excite solicitude.

In defiance, therefore, of the historical fact, and of the protest of Prussia, the Diet at Frankfurt was convoked, the *Plenum* announced to be complete, and the usual recognition by foreign Powers formally demanded. But even Russia thought it prudent to abstain from that acknowledgment, at least for a time. So that, as far as Europe and even the rest of Germany were concerned, the Austrian federation at Frankfurt remained in the same position as the Prussian Union at Erfurt, or wherever its representatives might assemble. But an event occurred which changed the aspect of affairs; and so opportunely did it happen for the purpose of confirming the assumed authority and testing the weakness or the strength of its opponents, that it is difficult to attribute it entirely to independent causes.

The small State of Electoral Hesse, almost touching the free town of Frankfurt, had enjoyed, since the year 1830, a representative constitution of by no means a democratic character. This constitution had worked at least so well as to have carried a very unpopular prince over the rapids of the year 1848, without disturbance or difficulty, and, what to our English views is of more value than any theoretical perfection, so well as

to have contented the large majority of those who lived under it. It contains a clause to which especial attention had been directed, and the bearings of which had been much discussed. The following are the words of the Hessian Charter (cap. ii. sec. 143, 144.) :— ‘The States have to provide for raising the supplies required by the ordinary and extraordinary necessities of the country, so far as they are not covered by other revenues, by the grant of taxes. No tax, direct or indirect, either in times of peace or war, nor any impost under any other name whatever, can be levied or collected without the consent of Parliament from the year 1831 :’ this is coupled with certain provisions for continuing the taxes leviable at the time. The law proceeds :— ‘The grant of the ordinary revenue of the State lasts properly for the space of three years ; for this purpose the budget, so made out as to present the income and expenditure in the most complete detail, must be laid before Parliament in due time ; at the same time the necessity or the use of the expenditure to be made must be distinctly explained, as well as the nature of the proposed taxes, of any kind or name whatever ;’ and provision is then made for enabling the members to collect all the information they can require on these points. So distinct a command of the purse-strings naturally excited much discussion and reprobation, both as a precedent and as an example ; for even the Constitutionalists of that day could not bring themselves at once to recognise the will of the people as the last appeal in any case whatever. There, however, stood the clause of the Constitution, sworn to by the Elector ; nor had there been any symptom on the part of the people of an intention to abuse their power to the disturbance of the public peace. But both history and analogy prove that such a concession, frankly admitted and carried out, must end in a limitation of the royal power. This the assembled princes of the Diet would not permit, and a decree of the 28th June, 1832, formally declared that no German prince, in the maintenance of his supreme dignity and in his duty to the Confederation, could be fettered by the menace of a refusal of taxes on the part of any parliamentary body ; and that if such an Assembly so far forgot its position as to refuse, directly or indirectly, the taxes which should be required for conducting the orderly administration of the State, the case for the intervention of the forces of the Confederation, contemplated in the 25th and 26th Articles of the Final Act of the Treaty of Vienna, would occur. We have neither space nor inclination to discuss the principle involved in this decree ; but we do wish our readers plainly to understand that the immediate origin of the German armament is the resolution of this Confederation,— a Confedera-

tion, the legality of whose existence and action through any recognised organ is more than doubtful,—to enforce by the terrors and inflictions of military occupation the will of the Elector of Hesse, against his parliament, the courts of law, the officials of the State, the army, and the people.

Nor did the difficulty arise from any peculiar political complication; the whole matter was a foregone conclusion. M. Hassenpflug, who, several years ago, had won in Hesse the designation of *Hass and Fluch* (*hatred and execration*) to such an extent that his banishment was thought necessary for his personal security, and who since that time had held an administrative office in Prussia, was suddenly recalled and entrusted with the conduct of affairs. He immediately repaid the protection he had received from Prussia by detaching Electoral Hesse from the Union and annexing her to the revived Confederation. This measure was wholly repugnant to the desire both of the people, who were zealous for the Prussian alliance, and of the military, who, wearing the uniform and following the institutions of the Prussian army, had always looked on them as brothers in arms. When, therefore, the parliament was summoned, confessedly for the sole purpose of granting supplies, and this detested minister, vouchsafing no explanation, laying down no budget, demanded a simple vote of so much money,—which, for all they knew, he might employ against the interests of the State and of the common country, it was refused,—as, no doubt, had been anticipated. On this ground, and without other colour of provocation, martial law was proclaimed and the Constitution suspended. The long, tranquil, dignified resistance, which has since ensued, has earned for the people of Hesse the admiration of all freemen and the indignation of the Absolutists, of all orders and degrees. It is declared by the latter to be a fatal example of the new expedients of the democratic and anti-social league, and infinitely more dangerous than all the science of barricades and all the violence of the streets. Undoubtedly it is so, and to an extent which men who are accustomed to look on brute force as the supreme arbiter, can hardly imagine. But we, who are inclined to believe that this is an instrument of such a nature that it can never serve in a cause altogether wrong, and who regard its present application as most meritorious, have no sympathy with these desperate apprehensions. And, indeed, it is only the knowledge of what the German public servant (*Beamte*) and the German officer really is, in his natural temperamental and ingrained niental habits, which can enable any observer really to appreciate all that this passive resistance in Hesse expresses and implies. Dutiful submission

to authority is the life-impulse of a *Beamte*: freedom of opinion, if you will,—radical discourse, if you will,—subterfuge and equivocation, if you will,—but explicit and continuous disobedience to orders, and that at the sacrifice of the entire pittance on which life depends, and with the risk of utter destitution in the future,—this is too much to require from any one. Add to all these feelings the sentiment of military honour,—and then the almost universal defection of the subjects of the Elector of Hesse, military as well as civil, becomes an event not only of historical import, but of much moral significance. It is probable that* the obligation of the oath to the Constitution was far more effective in many minds than any patriotic or political principle; yet it is clear that the very foundations of the old society are shaking, and that, unless due precaution be taken, the day may not be far off when, as the adage goes, ‘the extinguisher will catch fire.’

Electoral Hesse is so wedged in between portions of the Prussian territory, that it became necessary for Prussia to secure, by treaty, a right of way along certain roads, and thus there was a direct pretext for the appearance at any time of Prussian forces in that country, and still more for a protest against its occupation by any other than native troops.

In this conjuncture the King of Prussia called to his counsels General von Radowitz; an appointment regarded by the Constitutional party with hopes not unmixed with suspicions, and by the Absolutists with anger, tempered by a certain satisfaction. They had a pleasure in seeing the man, whose covert influence they so much feared, placed in a responsible office, where he was open to attack, and where his failure might bring destruction on his future power. The life of this remarkable person had been in itself an epitome of the distractions of Germany. Descended from an Hungarian family, settled at Brunswick, where his father was counsellor, he was educated at Altenburg; and having entered the Westphalian army, won the cross of the Legion of Honour, fighting against German independence. In 1814 he was in the Hessian service, and

* The Austrian Government has shown, by a recent order, the use to which it is prepared to put its army, and the respect which it, at the same time, entertains for this special scruple. An Article of the Constitution, March, 1849, required that the army should swear to ‘observe and defend’ it. This oath is now forbidden. Major Barbaczy, the author of a pamphlet advising the emperor to break his constitutional promises, and who had been dismissed in consequence, has been reinstated, now that the necessity of keeping up appearances is supposed to have past away.

took part in the expedition against France. He rose rapidly in distinction as a staff-officer of artillery, till the discovery of some honourable advice he had given to the unhappy Electress, the sister of the King of Prussia, as to her relations with her profligate husband, caused his dismissal from the Hessian army and his reception, with distinguished favour, at Berlin. Here he became acquainted with the Crown Prince, and a remarkable congeniality of disposition and taste laid the foundation of an earnest friendship. We cannot say whether Radowitz's appointment as military-plenipotentiary to the Diet in 1836 was the cause or the effect of the interest which the future sovereign and the philosophical soldier mutually took in the possible improvement of the federal organisation of Germany; but we know that the latter had sufficiently matured his views in 1840 to lay them before Prince Metternich in a conference at Dresden in the autumn of that year.

Between that period and 1848 this intimacy continued unimpaired, and at Frankfurt Radowitz may be looked on as the conscientious personal representative of the feelings and wishes of the King of Prussia: never more so than when he voted for the Constitution, inclusive of the headship of Prussia,—protesting all the while against the omnipotence of the Parliament, and reserving to all the governments, and therefore also to Austria, the right of accepting that constitution or agreeing with the Frankfurt Assembly on modifications to be adopted. The meeting at Erfurt was the work of General von Radowitz; but here, probably, for the first time, he acted solely according to the King's convictions, and apart from his own. Indeed, it is impossible otherwise to reconcile his opening speech with the abandonment of the intention of proposing the amended Constitution *en bloc*, and thus forming a distinct and organised nucleus of the Union. This was a fatal concession to reactionary influences. The creation of the worthless College of Princes followed. After these events, his spirit hardly made itself felt, till he took his seat in the Prussian cabinet at the commencement of the confusion in Hesse, his former country, caused by the arbitrary folly of the son of the man whose immoral conduct had had so much effect on his own fortunes. Then came in rapid succession the flight of the Elector—first to Hanover, where assistance was refused, afterwards to Frankfurt, where support too readily awaited him,—the protest of the Prussian Government against the interference of the fictitious Diet in the affairs of an independent State,—and the proposal of a conference between Prussia and Austria to be held at Warsaw. Never was the head of Cicero demanded by Antony, or the disgrace of Stein insisted on by Napoleon, with more determination than the dismissal of Radowitz by the

Courts of Austria and Russia. The King of Prussia was dangerous enough; but with Radowitz for his minister, he was not to be tolerated. The terms assented to by Count Brandenburg were in themselves such as Radowitz could not assent to: and after having in vain attempted to persuade the King and Cabinet to call out the *Landwehr*, and thus, at least, place Prussia in an attitude which must command respect, he resigned his office. How little regard she could command without this measure soon became too apparent. Radowitz once dismissed, Hesse was immediately occupied by Federal troops, in defiance of the stipulation at Warsaw, to the end that in Hesse and Holstein there should be a transaction common to both Powers; and Count Brandenburg, a man of the purest honour, died suddenly, in the conviction that he had been cajoled and betrayed. The genius of the fallen minister now seemed to return to the cabinet. Prussian troops were ordered to occupy Hesse; and the insulting Austrian message which followed made his strongest opponents feel that, without something like parity of force, it was impossible to treat with an adversary so unscrupulous and ungenerous. At last, after the loss of priceless time and of a satisfactory military position, the *Landwehr* were called out to the defence of the Fatherland. The troops detached at Baden, whose earlier reinforcement would have opened to the Prussians the way to Munich, could not retain their position; and the Grand Duchy, after having been rescued by Prussia from the only serious, because foreign and socialist, convulsion in Germany, fell back on the tender mercies of Bavaria and Austria, of which she had already had ample experience, in the secret treaty of Ried in 1813.

There was neither limit nor exception to the enthusiasm with which the people of Prussia rose to arms. If the impulse had been a dynastic patriotism, it would have been weak in the provinces of the Rhine and East Prussia, remote from the centre of government and inclined towards democratic institutions by the vicinage of France and the abhorrence of Russia: if the moving power had been, we will not say a revolutionary, but even a purely constitutional idea, it would hardly have thus affected the great provinces, Westphalia and Silesia, where the territorial aristocracy still exercise a strong indirect authority, and would have been almost unwelcome in the still courtly March of Brandenburg: if the feeling had been one of chimerical honour, it would not have seized on the sharp merchants of Cologne, or have extracted a large spontaneous loan from the moneyed classes of Voltairian Berlin: if the aim and hope had been one of material interest, it would not have driven the burgher from his shop, the youth from his studies, the profes-

sional man from his daily calling, the philosopher from his books, and all from their families and fire-sides, at the approach of an inelement winter. Assuredly the object was not animosity towards other men of German race. Whatever delusion there might have been in the hope of German Unity, the notion at least comprehended the desire that Austria Proper and Bavaria should be as German as Prussia herself, while it aggravated the natural horror of civil war. Nor was the mainspring of this national movement an ambition to extend the territory or consolidate the dominion of Prussia — such as sustained Frederick the Great, and made him conqueror — for the late acquisition of the Hohenzollern provinces had gratified no one but the Royal Family, and the continued pretensions of the King on the sovereignty of Neufchâtel were an object both of ridicule and annoyance. The plain truth of the matter, which editors at their desks and politicians in their drawing-rooms will not or cannot see, is that, when it comes to the true test of self-devotion and self-sacrifice, the heterogeneous people of Prussia are united in resisting the reimposition upon Germany of a Federal Power dependent on the will of the cabinet of Vienna. They resist this as Germans, inasmuch as Austria, however she may succeed in making the German element preponderate in her own empire, must inevitably consult non-German as much as German interests; and because, having been apparently saved from disunion by Russia, she no longer attempts even the semblance of independent action, — but summons her competitor to discuss the internal arrangements of Germany at Warsaw, under the counsel of the Czar, and attends at Olmütz, accompanied by Baron Meyendorff, the wisest of Absolutist politicians, and the destined successor of Count Nesselrode. The Prussians are also ready to brave all the horrors of war rather than permit a central Power, commanding immense military forces, part of which they look upon as barbarian, to overwhelm the independence of the separate States of Northern Germany; and they ask, ‘If Austrians are to rule in Hesse, why not Croats in Berlin?’ We would that our readers should believe that,—whatever pedantic project for a different conformation of Germany may have existed—whatever hopes of revolutionary changes may have aroused the fancies and warmed the blood of virtuous or deluded men,—here, in this great, true-hearted, demonstration, these things have had no place. The danger which has been thus gallantly met was immediate and pressing. It affects the future political and social life of every German man; it touches his commerce—his intellectual resources — his religious freedom. With an Austrian *Zollverein*, excluding English goods, for the purpose of en-

couraging Sclavonic and Lombard manufactures, an Austrian press-law binding Leipsic and Hamburg in the fetters of Vienna, and with ecclesiastical views predominant, such as drove forth the Protestants from the Zillerthal, and enlisted all the Protestant pastors of Hungary against Austria, and has but now restored the Jesuits in plenary power, and abolished the liberties of the national churches, what would Northern Germany become? what would remain but the miserable alternative of arousing the wildest spirit of socialist democracy and destroying the monarchs who had betrayed them, or of a gradual absorption into that gigantic Oriental mechanism to which Austria had already submitted? It may be alleged that in the scheme of Prussia to reorganise Germany on a liberal basis, there had been something of the pride of a superior civilisation and of a disregard of the inclinations of less-favoured portions of their race: it may be asserted that a Prussian Headship of the Confederation was a presumptuous proposal, and that the probable formation of a homogeneous Prussian kingdom of Northern Germany was an injury to the independent rights of princes or even peoples. The best answer to such misrepresentations would be that the plan was not proposed by Prussia, but rather urged upon the King; and that a parliamentary federal organisation, centralising the power in war and in diplomacy, is evidently the only possible guarantee both for the independence of the minor States, and of the internal liberties of their people. But, at any rate, even such an aggression as that supposed, would inevitably have carried with it some compensating political advantages: to those who already possessed constitutional government it insured its continuance, and imparted it to those who did not enjoy it. Prussia could only increase her power by extending liberal principles. Austria can only extend hers by destroying them. This condition of things is apart from the merits, or designs, or even the wills of the rulers of either country, and is not affected by private ambition, or dynastic notions, or individual interests: it implies no particular disinterestedness in the plans of Prussia, and no systematic selfishness in those of Austria: it is the historical necessity which should be the foundation of the calculations and projects of every statesman, and which the best intentions on one side, and the worst on the other, cannot change.

Prince Schwarzenberg has been imprudently imperious, and his provocations to Prussia of a kind to arouse the most phlegmatic; but much of his conduct may be attributed to the purely military character which the government of the Empire has now assumed. Unitary Austria, such as the present rulers seem resolved to maintain it, exists in the army and in the army alone. There all nationalities are more or less extinguished,—there, ex-

cept in the case of some heart-broken Honved, even the miserable distractions of late years are merged in the chivalrous devotion which creates the idol that it worships, and having in truth no country in which to live, imagines one for which to die. There alone can the careless generosity and the genial social temperament, which give to the Germans of the South their own characteristic charm, still freely and securely expand. The military proconsuls pay little, if any, heed to the central government; and nothing but the dislike of his own soldiers, and doubts of his pecuniary probity, could have enabled the ministry to have acted with the vigour they have shown in the dismissal and repeated rejection of the services of Marshal Haynau. The young Emperor is never seen out of uniform, to the great disgust of the Viennese burghers who associate their loyalty with the familiar manners and homely costume of the Imperial House, and who, even on the barricades of 1848, fought *für Freiheit und den Kaiser*. In calmer times the elevation to the throne of a totally inexperienced and uninformed youth might have been a guarantee for ministerial authority and constitutional government; but this advantage is now lost for the dubious gain of a high-spirited prince, hardly out of boyhood, who has won his spurs in civil war against the bravest of his subjects, and whose interests as a personal ruler are identical with his warlike ambition. The years which, sooner or later, are destined to bring him experience may be loaded with calamity for mankind; and before the wisdom of maturity teaches him the worth of peace, his military inclinations may have desolated Germany, and retarded the civilisation of the various provinces within his rule.

In treating therefore with a Power so constituted, most right was General von Radowitz in his conclusion that an armed negotiation alone was possible. If war shall have been ultimately averted, it is the 'arming of Prussia' that has done it. Whatever may be the issue of the 'free conferences,' however unsatisfactory may be the terms accepted by Baron von Manteuffel at Olinutz, without this one act of resolution they would have been ten times worse. There is nothing in diplomatic history more curious than the change of tone on the part of Austria, the moment she saw she had a real enemy to encounter: no longer a sham Union — no longer a benevolent theory — no longer a talkative Assembly, — but 500,000 men in arms. For once, for the first time, the power of Prussia was really manifested, and that which had been peremptorily refused to her moderation and good intentions was yielded to her first front of resolute defiance. Nor let any lover of peace, not Mr. Cobden himself, believe, whatever be the difficulties of bringing back this mighty

force to the conditions of ordinary life,—and we do not believe they will be great,—that tranquillity in Europe could have been secured by the absolute prostration of Prussia before Austria and Russia. The pretensions of Austria would not have stopped there; the success of this audacity would but have tempted her on, and the provocation not to be borne, the insult after the seventy-times-seven, would have come at last; while the chivalrous feeling, which is not extinguished in the kingdom of the Teutonic knights, and which has made the Prince of Prussia into a true German despite of all opinions and political tendencies, would have burst forth with a fury recalling the old Berserker wrath and sweeping before it kings, institutions, and religions. And if, as well may happen, sacrifices of national honour and political security are yet demanded from Prussia by the Absolutist Powers, and the nation should be resolved to resist what the government is ready to concede, we may be sure that the hour has arrived when transactions of peace are indeed impossible, and war has become the necessary condition of the moral life of the people. Such, for instance, we believe would be the submission of the internal governments of the German States to a Federal Power which should include the non-German provinces of Austria.

The right of presidency in this Federal Assembly, and even its internal organisation, are very trivial questions in comparison with its attributes and powers. In the year 1843, General von Radowitz wrote a memorial which was presented by the King of Prussia to his ministry, recommending both the suspension of the censorship, and the trial of offences of the press by the ordinary tribunals. The recommendation was rejected on the ground that it would be a breach of the Federal obligations of Prussia—those very obligations which she was called on to admit the other day as still existing, and one of which has been made the excuse for the intervention in Hesse. We give this as an example; and would ask, whether Prussia can admit such a power over herself or other German States, now that A.D. 1848 has shaken the world? Take another instance, the article of the Federal Act which forbids any parliament to refuse supplies:—can this subsist co-ordinately with any constitutional development in Germany? Is there any hope, with such a stipulation, for any middle system of government between Absolutism and Democracy? We have seen what is the character of many of these German Princes; we know how recklessly they will use these powers against their own subjects; and we feel that—if every constitution is to be put down by violence which contains this single operative safeguard; if noble-minded magis-

brates, and honest-hearted soldiers, like those of Hesse, are to be tormented by *dragonádes*, and cast out to destitution,—there is no hope for liberty, no defence against revolution. The hour, which otherwise would have remained the disordered phantom of such brains as Mazzini's and Struve's, becomes a hideous certainty; and they who have brought it to life by their mad repressions and foolish anachronisms, will not have even the excuse of the enthusiasts who profess to foresee the ark of a new creation rising triumphant on the deluge of the old.

By a not uncommon stroke of political fortune, Baron von Manteuffel has won considerable personal credit, and possibly been enabled to do good service to his country, by the action of the very policy which, in the cabinet, he most earnestly opposed. General von Radowitz was hardly out of office when his counsels were adopted, and all the difference between the results of the Free Conferences at Dresden (whatever they may turn out) and the imperious requirements of Warsaw is his work, and his alone. On his head fell all the execrations of the Absolutist press, on him was laid the heavy burden of the responsibility of European war; and now that events have completely justified his expectations, he might claim the credit for the foresight and the determination. But if he is eonversant—as, from his works, we believe him to be—with the processes of political life, he will not murmur at this distribution of deed and reward. It may be that others are better fitted than himself to become the practical instruments of his own thoughts and intuitions, and that they may succeed in results which his very merits would not permit him to obtain. He can look to something higher than good fortune for moral support, and can afford to smile at the singular infelicity of destiny which made his presence the precursor of revolution in Paris, Berlin, and Vienna; and authorised the democratic pasquinade—‘We shall never get up any disturbance in Russia till we send Radowitz there as ambassador.’ The virulent animosity against him, which is concentrated in the pamphlet by Rogge (under the name of Walther) has fed upon such incidents as these, and more than justifies the tone of indignant remonstrance which breaks out in a letter from Radowitz to a friend, which appears in the other *brochure* at the head of this article, written by M. Joukoffskii, the Russian poet and translator of the *Odyssey*, who held for some time the office of preceptor to the future Czar. The devoted friendship which breathes through those pages confers much interest on the man who can inspire it; and his own words, declining to descend to an ignoble ground of controversy with his maliguers, will not diminish the feeling.

'Were you to say that O'Connell's assertion, that he was the best-calmiliated man in his country, may now be applied to me, alas! I could not contradict you. And a very melancholy fate it is, in every way. Through the whole course of my own life I have striven to separate the persons of my political and religious opponents from their principles, and to avoid visiting on the men themselves what I believed to be the faults of their opinions. This "hungering and "thirsting after righteousness" has often enough been thrown in my teeth by my fellow-workers, and been stigmatised as the fanaticism of impartiality. If any one has experienced from me other treatment than this, let him stand forward and confront me. In my own case, on the contrary, my enemies have not been content with my public existence, which has so long lain open to the canvass of the world, but they have runmaged with very dirty hands into the secret depths of my private life, into the years of my earliest childhood, and into the religious differences of my parents. Irrelevant trifles, intentional misinterpretations, and downright lies, have been woven together into the web which, now for many years, continually runs through newspaper articles, pamphlets, and books, on my account. They know right well that I could not think of asking the German public to trouble itself with certificates of personal matters affecting myself, from the register of my baptism to my first commission; and that therefore they may say what they please. I, at least, will not contradict this disreputable biographer, but content myself with feeling that his assumptions are singularly erroneous. If, then, dear friend, I am unable to fulfil your well-intentioned wish, I must fairly take the consequences. But into whose head could it come to look on me as capable of the miserable vanity of attributing to myself a high aristocratic origin? I, whose nobility is of such a kind that my Hungarian ancestors in the fourth degree probably followed the plough on the banks of the Maros, and whose earliest recollection it is, that my father gave up an obscure and retired private existence to lose his small property in an unimportant branch of commerce. Cannot a man in Germany speak of the aristocratic element as essential to a sound political constitution without its being thrown in his teeth that he is pleading his own cause? No, my friend, I have not the least reason for lofty-mindedness, and not the least disposition that way; but if I had, my pride would be, that I have been sustained neither by eminence of birth, nor by powerful patrons, nor by any other gifts and graces of Fortune, but that I have gone thus far on my way on my own footing, unaided, alone.'

Several features of the character depicted in these pages, and perhaps even the tone of this autobiographical extract, in some degree explain the unpopularity of Radowitz with military and political men. He is avowedly a man of thought and letters, as well as of action. The combination of philosophy and literature with statesmanship has always been difficult, and it is especially so in the political condition to which the world has now advanced, bringing writers by no means unfavourable to the

development of popular institutions reluctantly to the conclusion that, for the future, the political direction of States must devolve upon second-rate men. For he who has stored his mind as well with that knowledge of the past which alone is satisfactory to the lover of truth, as with the workings of the passions and the growth of the intellect of mankind, can hardly hide from himself, or from others, a certain comparative contempt for many of the transactions which, nevertheless, are all in all to the mass of those whom they concern. The modern statesman (and our own political history in recent times may point the moral of the reflection), must be prepared to have his views misapprehended from their very breadth, to find his tolerance, which is born of knowledge, unintelligible to the ignorant and the violent, to have his daily progress in wisdom treated as inconsistency by those who never live to learn, and to see his due concessions to providential necessity stigmatised as cowardice or corruption. Radowitz had, besides these disadvantages, the antecedents of an historical student, unwilling to recognise in any precise and present hour the 'great crisis' of the time, but anxious to give to each period of the world its separate meaning and authority — those too of an artist willing to trace out and celebrate what is good and great in the most diverse systems of life — and, above all, those of a man of letters, whose free and open word had been heard in the controversies of the time, arguing, and bantering, and denouncing, — at one time rejoicing in the fulness of a single idea, at another comprehending and expounding its limitations. During the greater part of his life employed in offices of military instruction and apart from the tumult of public affairs, he has trodden so many fields of literary enterprise, that the diversity of his studies has induced the belief that his information is superficial, with just so much truth as must always apply to a man, whose various faculties will not permit him to devote himself to the cultivation of one. In all his works, indeed, the mathematician and logician are predominant; and, as any work of art would be distasteful to him which did not wear the beauty of form, so he would take little interest in merely empirical politics, which he could not bring to bear on some preconceived system.

These mental characteristics show themselves distinctly in the work which gained him his chief literary reputation, '*Dialogues of the Present Time on Subjects of Church and State.*' How unwelcome this form of composition is to general readers is best illustrated by the fact that all the unequalled classical learning, delicate wit, and magnificent diction of Mr. Landor's '*Imaginary Conversations*' have not succeeded in winning for them their just place in English literature. We cannot here investigate the reason of this impression; though it may be that '*imaginary*

'conversations' seldom wear the air of probability, inasmuch as in them the characters never contradict themselves, and no two ever speak at once. In those before us the personages are sustained with dramatic propriety, and in each of them a type of some prevalent form of religious and political opinion is, more or less, represented by some well-known individual, such as Gerlach, Canitz, &c. Absolute wilful power on the part of prince or of people is the chief object of the abhorrence of the character which represents the author; and he believes that he discerns this evil equally in the despotism of a sovereign or of a parliamentary majority. This is his main objection to the representative principle; leaving out of sight the two modifying circumstances, — in our experience all-important, — that in a constitutional country, the real determination of the people is quietly submitted to, almost as a law of nature, and that the political education which they enjoy renders them prudent and careful not to abuse their power. And no one can better appreciate than he does the limitations of executive authority; as in the following sentence: —

' Moments can and must come when the most terrible and resolute use of power is unavoidable, and I am surely not inclined to counsel any concessions, any half-measures. Where power acts in the exercise of its duty, there let its force be irresistible, there let it be thorough. But let no man deceive himself as to the results he is to expect: censorship and prohibition, police and military force, have never accomplished any lasting good: they are but negative means, which the needs of the times may demand, and this necessity is the measure of their existence.' (P. 164.)

Persons intimate with Radowitz have stated that in the years preceding 1848, he was incessantly haunted with the belief of the uncertain foundations of the political state of Europe, especially of France; and thus we find him writing in 1846:—

' Every period of the world has a dominant feeling for the dangers and struggles that belong to itself, and thus is very much inclined to regard itself as something exceptional in the course of nature. But I will not deny my conviction that any one who abstractedly regards this our present time must perceive that in this deep calm a crisis of the moral history of European humanity is preparing itself.' (P. 142.)

The future of Germany forms a considerable topic in these discussions:—

' It is a special blessing of God that the honour, the dignity, the prosperity of our great Fatherland is not swallowed up by religious and political partisanship. In this conviction now, more than at any other period, can we all come together, — the Legitimist, the Aristocrat, the Liberal, the Radical, the Communist, the Catholic, the

Lutheran, the Moravian, the Rationalist, and the Pantheist. This is in truth the neutral ground, this the common foundation, on which still something can be raised in which all can agree.'

And who is to be the builder ?

' Who but the German Confederation, the rightful and bounden representative of all the interests of the Nation ? And here I say with some sorrow that hitherto it has remained far behind this vocation.' (Pp. 119, 120.)

He had written that, however great might be the difficulties in the execution of this task, it must not the less be undertaken.

' Do not these men know that in the higher interests nothing is worth thinking of that is not difficult ? When I hear this excuse so glibly flowing from the mouths of reasonable men, I understand what Göthe long ago thought so astonishing, that men leave undone not only all that is impossible, but also so many things perfectly practicable.' (P. 184.)

The conservation of all existing rights, into whatever new form the Confederation might fall, is ever insisted on in these Dialogues, and is a natural consequence of the political principles on which the author's political system rests. He attaches to the word ' Rights ' a meaning even more extended than that which Mr. Bentham and his followers have so earnestly controv-verted. His theory was most distinctly formalised by Haller (a Swiss jurisconsult, who wrote in the early part of the century, and whose conversion to philosophical Catholicism created much interest at the time), who deduces all society from the original acquisition of all means of power, especially the land, by the strongest and *therefore* the best men, — who thus obtained the indefeasible ' right ' to transmit the same to their descendants. In the same way, all classes of society, except the lowest, originate in some primary acquisition of property, and in some freedom from the original obligation ; and this it is their ' right ' to maintain. To those who feel the weight of the distinction between Rights and Right, as between Liberties and Liberty, the question will inevitably suggest itself, Why fix any arbitrary period at which these acquisitions become ' rights ? ' Why am not I to acquire what power I can, which, according to your own showing, will become a ' right ' for my posterity ? In truth, we cannot see what practical advantage this view brings to the discussions and difficulties of our own time. The peace and progress of society will be surely better preserved by the mutual concessions of these ' rights,' supposing them to exist, than by their obstinate maintenance ; and the circumstances which cause revolutions are exactly those which bring the opposing and contradictory ' rights ' into collision. ~

Apart from these notions, somewhat pedantically applied, the spirit of Radowitz's book is wise and generous: you see in it, not perhaps a statesman, but a man who would easily grow into one of the greatest; and his experience at Frankfurt was evidently not lost upon him. He was received there with little good-will from any party, and much unjust prejudice. The young poet of Bohemia, Alfred Meissner, ('the blood-red dove,' as the reactionists called him, from his supposed combination of sentimentalism and terrorism,) in his 'Pictures from Frankfurt,' exclaims —

' How can the man, all whose energies have been devoted to Absolutism now become a supporter of the constitutional system? When Radowitz, the friend of Louis Philippe, the pupil of the Jesuits, who conspired with Guizot and Metternich for the suppression of the Swiss Confederation, and afterwards tried to spur up Russia, Prussia, and Austria to go to war with the French Republic, now-a-days stands forward in the constitutional ranks, I only believe the more in his dark devices, and try to trace them in the furrows of his brow and in the deep lines of his physiognomy. There he sits, his head characteristic as a head of Velasquez; he reminds one of a military monk; his face uniformly pale, his grizzled hair, his jaundiced eyes, his closed mouth overshadowed by his black mustachios, his gloomy look ever fixed on the paper before him, every trait in his countenance full of meaning.'

Meissner continues, 'he is no orator;' but this must have been written very early in the meeting of the Assembly, for, before it closed, he became recognised as *the* orator of Germany. His solemn and quiet manner, his perfect dialectic skill, his entire self-command, — all place him in strong contrast to the speakers inspired by democratic energies and by the enthusiasm of the hour. But this tone of tranquil authority, while it imposes for the moment, leaves much irritation and wounded pride behind it; and men much more easily forgive the opposition which proceeds from adverse passions than that which presumes a higher wisdom and profounder thought. May Prussia be speedily in a position of sufficient independence to avail herself of the services of all or any of her statesmen without foreign dictation; and may the difficulties he has had to encounter only brace this virtuous and accomplished man to further efforts, looking to the battle, not to the victory, for the satisfaction of what is highest in the life of man.

* In our comment upon the arming of Prussia we have mainly kept in mind the rescue of that country from dishonour by an act of political courage supported by the nation. The ulterior consequences on the German and Constitutional questions cannot be predicated with equal satisfaction. The surrender of Hesse is a poor preface to a new Prussian policy. There is not

one of the Princes of Germany who would deny the personal unworthiness of the Elector or the legality of the acts of the Hessian parliament; but the discomfiture of the civil and military officers, who have remained, above all things, faithful to their constitution and their country, is regarded as a good example, and the disenchantment of the hopes that identified the influence of Prussia with the support of free institutions is an exceeding triumph to absolutism throughout Europe. The abandonment of Hesse is to Prussia what the siege and occupation of Rome has been to France; and we, who prefer counter-action by means of good influences to the inevitable revolution which sweeps away the evil, heartily regret both the one and the other. Even as regards Prussian influence at Dresden, Baron von Manteuffel must be prepared to see the phantom of the old Diet looming over the Free Conferences themselves, and ever becoming the more distinct as Prussia presents a less formidable front to her rival. The Conference may, indeed, take the form of a Conspiracy, either of Prussia and Austria against the rest of Germany, or of the Princes against the peoples. It is impossible not to see that there has been for some time a powerful tendency towards a German dualism, favoured in many points by material interests, national character, manners, and religion. The dynastic independence of the four Kings, especially Hanover (where the parliamentary education of the sovereign has, on the whole, advantageously balanced an arbitrary temper, and won him a reputation at once of firmness in resistance and good faith in concession), the Protestantism of Northern Bavaria, and the critical position of Baden, have hitherto neutralised this design, which, however, may now take a more precise form, and we should not be surprised to see *Sonderbunds* formed against it. The other danger remains imminent, and, with Hesse before us, the worst may be feared. Perchance the very extravagance of the notion that a Confederation, including all the non-German provinces of Austria, and thus disturbing the presumed equilibrium of the Treaty of Vienna, should be endowed with power to repress the liberties of individual States, at the caprice of their rulers, may have some weight even with those who least love the institutions which the spirit of the age compels them to accept. The lesser potentates may at last come, in some sense, to identify their own independence with that of their subjects: for a firmer or completer tyranny could not exist than that which would enable the Ban of Croatia to terrorise Hamburg, or Görgey to re-purchase imperial favour by establishing order on the banks of the Rhine. We may, therefore, owe to the pretensions of Austria those limitations of power, which are, alas! all we have even to hope for now, in the constitution of that Federal Unity of Germany to

which we once looked for the attainment of so much good to mankind. We can at present hardly desire to see the form of a popular representation established, which, if the whole of Austria is included in the *Bund*, would be fatal to the future integrity of Germany, and, in any case, illusory and unreal. Rather let this broad and solid foundation of the political fabric await a happier epoch, — when the governments may have regained the confidence, or at least the good-will, they have now wholly lost, — when it shall have become truly felt and understood, that the political faculties, without which the nature of man is incomplete, cannot be developed and directed, except by the exercise and experience, and even the catastrophes, of Freedom, and that loyal devotion, and patriotic sensibility, and official honesty, and intellectual culture, and domestic worth, may all fail to confer the sobriety and self-control which combine individual elevation with social progress and assimilate public to private virtue.

- ART. IX.—1. *Annual Reports of the Commissioners for administering the Laws for the Relief of the Poor in Ireland.*
2. *Reports and Transactions of the Royal Agricultural Improvement Society of Ireland.*
3. *Returns of Agricultural Produce in Ireland for the Years 1847-8-9.*
4. *Reports of the Society for the Improvement of Growth of Flax in Ireland.*
5. *Sixteenth, Seventeenth, and Eighteenth Reports from the Board of Public Works in Ireland.*
6. *Sixteenth Report of the Commissioners of National Education in Ireland, for the Year 1849.*
7. *The English Settler's Guide to Ireland.* Dublin: 1850.
8. *Condition and Prospects of Ireland.* By JONATHAN PIM. Dublin: 1850. "
9. *The Castle and the Country.* By D. OWEN-MADDEN, Esq. Dublin: 1850.

WE question if there is any period in the annals of Ireland more deserving of having its occurrences and transactions closely studied, or its history carefully written, than the four years which have elapsed since the summer of 1846. The interval is crowded with exciting and instructive events; it has been equally remarkable for great disorders and for great im-

provements. It has witnessed the breaking up of old systems, the wreck or the consternation of many interests, a conflict of passions, a war of principles, an uproar, an alarm, a distress and confusion, extraordinary and unprecedented even in a country where distress and confusion were the normal condition of society. It has been a period of arrant follies, serious disturbances, intense public sufferings, and momentous political and social changes. If, upon the one hand, those years have been mournfully distinguished by some of the sorest visitations of Providence, on the other they have been happily illustrated by many auspicious events, by new laws inferior to none on the statute-book in the importance of their objects; by new institutions extending the frontiers of knowledge and civilisation; and by numerous administrative measures, eminent for their wise forecast and skilful adaptation to the circumstances of the country.

This, then, is the period on which we invite our readers to look back, entreating all who are concerned in the welfare of Ireland calmly to examine with us what has been doing during these few pregnant years, in some quarters to promote her interests, in others to retard them. The subject is one in which we have more than a mere historical interest, and the retrospect will reward our trouble. We shall see upon what principles, in what spirit, through what difficulties, with what aids and encouragements, or in the face of what opposition, Irish affairs have been administered: we shall see, moreover, what changes have taken place, or are in progress, whether the results of laws or institutions, acts of government, or efforts of individuals; and finally, from the nature and tendency of those changes, we shall arrive at some fair conclusions as to the future prospects of the country. Thus we shall have to contemplate Ireland under many aspects, not easily reduced under general heads, but principally the relief of distress, the development of industry, the control of turbulence, and the general progress of civilisation.

We have already said enough to intimate that our views are not likely to minister to the spirit of discontent, or to encourage unmanly repinings. Hopeful ourselves, if we are successful in communicating our impressions, we shall inspire hope in others. There is ample room in the state of Ireland for further improvement, and a prodigious amount of work still to be done by the reformer; but the progress already made is sufficient to forbid despondency. Where there is still a struggle, the fight is inclining to the side which the good and wise must wish to see victorious; where there is still confusion, the germs of order are visible in it; where the clouds still linger, and the gloom is

thickest over the prospect, we misunderstand the tokens in the sky, if they are not broad and palpable streaks of day.

It is unnecessary for our purpose to go so far back as the administration of the lamented Earl of Bessborough. The leading facts and transactions of that short government have already been discussed by us so much at length, that we shall return to them no further than may be required by their intimate connexion with subsequent events. The Earl of Clarendon succeeded Lord Bessborough in the government of Ireland on the 26th of May, 1847. Not in the smoothest times the most enviable employment under the crown, perhaps it was never a more uninviting post than at that particular juncture. The severe distress of the poor, the embarrassments and discontents of all classes, the prevalence of wild projects and insane expectations, the shameful apathy of some, the unfortunate activity of others,—all these, and many other circumstances, tended to make the duties of government unusually burthenous, and its responsibilities enormous. There was enough to task the energies, if not to daunt the courage, of the most vigorous and intrepid minister. In fact, beyond the temporary lull of political agitation, to be ascribed chiefly to the manifest indecency of persisting in seditious demonstrations in the presence of pestilence and famine, there was scarcely a feature in the aspect of the country to elicer the servants of the public in that threatening hour.

But, prevalent as dissensions were at the outset of the administration, it was pretty generally agreed, on all hands, that the cabinet made a wise choice in availing themselves of the Earl of Clarendon's services in so critical a posture of affairs. His acquaintance with Ireland, acquired by a previous residence there, of some duration, in an official capacity, distinguished him from the class of viceroys who have first to study the country, and then to govern it,—but whose governments usually terminate before their studies are much advanced. Of his capacity for the highest departments of public business, not only his reputation as minister in Spain, but the ability with which he had administered the office of President of the Board of Trade, were a sufficient pledge. In fact, there was nowhere any unfavourable feeling towards him, unless, perhaps, among those malcontent landlords, who, dreaming of restored protection, would have more cordially welcomed a less resolute advocate of Free Trade. But, on the other hand, Lord Clarendon's inflexible devotion to that cause was one of his most prominent qualifications for his new post. It was a leading characteristic of the period, that it required,

in the head of the Irish executive, a large and profound acquaintance with the true principles of commerce. The moment was critical. The public subsistence depended upon an inflexible adherence to those principles; the slightest wavering upon the questions of trade, which then agitated the public mind, would have been productive of frightful evils. Upon this point, indeed, arose the first pressure on the Clarendon administration. All sorts of frantic projects, the suggestions of ignorant philanthropy, were afloat. By some, the Government were importuned to prohibit the exportation of food. Others (for example, a meeting of the nobility and gentry of the county of Mayo,) went the length of requiring the Government to work a downright miracle, insisting upon the adoption of measures to secure ‘an immediate, constant, and cheap supply of food, during the impending famine;’ such a happy condition of things, as the county of Mayo never enjoyed in years of the greatest affluence and plenty. Many other delusions were abroad: some, the amiable errors of minds overpowered and bewildered by the sad spectacles of destitution that surrounded them; others, more the offspring of faction than of charity, propounded for the express purpose of embarrassing the conduct of affairs. It would, indeed, have been an impotent conclusion, if, through infirmity of purpose, through any false humanity, or more unworthy weakness, the principles of commercial liberty, which had so lately triumphed, and which, in a great measure, owed their success to a timely perception by Sir Robert Peel of the evils that brooded over Ireland, had been abandoned, or even swerved from for a moment, in the midst of the very difficulties, with a view to which their urgent necessity had been proclaimed. There was no such blunder committed, no such danger incurred. The Government stood firm, and the results justified their constancy in a manner the most remarkable.

‘They have denounced the Government,’ observed the Lord-lieutenant, in reply to an excellent address from the General Assembly of the Presbyterian Church, ‘for not interfering with the ordinary transactions of commerce; but I affirm, as you do, that in nothing was the wisdom and courage of her Majesty’s Government better exhibited than by confidently relying upon sound principles through a period of panic, and against the importunities of clamour; for the result was, that in the first six months of this year between three and four million quarters of corn were imported into Ireland, and that the Irish market was freer, cheaper, and better supplied than that of any country in Europe where distress prevailed, and where those measures of interference and restriction had been unwisely adopted which were successfully resisted here. It is for those who denounce the Government with having aggravated the sufferings of

the people, to prove by what means, at the disposal of the British government or people, these sufferings could have been more effectually alleviated.'

The general election took place in the month of August, 1847. It was naturally expected that Ireland, always prone to depend upon legislative remedies more than upon her own resources and exertions, of all parts of the empire the most devout believer in the omnipotence of parliaments, would have taken extraordinary pains in the selection of her representatives. But the expectation was not answered. With a few exceptions, the men returned at that crisis were not particularly distinguished by the judgment and practical ability which its complicated difficulties required. So impatient, however, were the newly-returned knights and burgesses to display their legislative talents, that, although Parliament was to assemble before Christmas, they could not wait for its meeting; but, constituting themselves a Council of Public Distress and Safety, they opened a little preparatory senate at the Rotundo, for the purpose, as they pompously proclaimed, of 'forcing the case of Ireland upon the Government.' At the same moment three other deliberative bodies were convened in Dublin with nearly the same considerate object; so that there was no danger of the Lord-lieutenant going astray for want of suggestion and advice. This was no season for mirth, or it might have made the public merry to see four political associations, out of which collectively you could not have picked four men who had ever rendered the country the shadow of a service, called together to urge the duty of action on the most strenuous and industrious Government that Ireland ever saw. At a period of such extraordinary embarrassment, no man need have blushed to own himself unable to advise the public; but for that very reason the pretence to superior knowledge and practical talent, where all was wild talk and driftless debating, was never more ridiculous. The only rational step taken at that juncture by an Irishman of any note in the political world was taken by Mr. Thomas Steele, who announced his intention to retire from public life and 'devote himself to literary pursuits and submarine operations.' Mr. Steele had held for several years the place of Head Pacifier in Mr. O'Connell's staff. He was a formidable personage to encounter, whether wielding a shillelagh or flourishing the olive-branch; but his truculent features belied his nature, for he was an amiable gentleman, of intellectual and even scientific tastes. To the improvement of the diving-bell he dedicated the hours he had to spare from fiercer pursuits, and he divided his

eccentric enthusiasm in equal shares between the ‘majestic’ ‘Newton’ and the ‘gorgeous O’Connell.’

The Government fortunately had a drift, a purpose, an idea. When the minds of all were fixed upon temporary remedies, and their hopes limited to present assistance,—when the most unreasonable expectations were entertained by ignorance and encouraged by faction,—when all were depending upon Government, and all abusing it; exacting everything from it, yet throwing every obstruction in its way, it happened most fortunately that power was in the hands of men who had the steadiness to consider the future while dealing with the present, the prudence to make measures of immediate relief consistent with prospective improvement; to distinguish between what extravagance demanded and what humanity required; who knew how far the power of governments reaches, and where it stops; and, though prepared to make every exertion within the sphere of the practicable and safe, were at the same time determined to yield nothing to clamour, but to achieve their purpose and carry out their idea, pushing aside all the obstacles and throwing down the barricades that folly, crime, faction, and sedition were everywhere raising to obstruct their policy.

The Government seems to have grasped several fundamental truths, which in Ireland men were particularly apt to overlook, but which it was then of infinite moment to understand and apply to practice. Among other principles firmly laid hold of, was the complex nature of the Irish difficulty;—that the case of Ireland was not one to be dealt with by what are vulgarly called strokes of statesmanship, comprehensive measures, or panaceas; but that it was a complication of evils and abuses of many origins, dates, and characters, requiring a corresponding complication of remedies and corrections in detail; that although occasionally there might be room for some more imposing reform, yet that in general all great and permanent amelioration was to be expected from the aggregate of many improvements, from a combination of numerous modes of cure, against a combination of numerous symptoms of disorder.

‘*Et quoniam variant morbi, variabimus artes,
Mille mali species, mille salutis erunt.*’

It followed from this view that improvement must proceed from many quarters, that it was not to be looked for exclusively from laws, or from administration, or from private efforts; but that there was something to be done by all authorities, stations, and influences, by each in its own province, or by all combined. It was not denied that there were desirable effects which legis-

lation only could produce; nor was it questioned that there was considerable scope for benefiting the country by administrative measures; but the Government was at issue with a large portion of the public on the degree to which public improvement depended upon laws or ministers. Government held the doctrine that, of the work to be done for the regeneration of Ireland, much the greater part not only justly but necessarily devolved upon the people of the country themselves. Irishmen almost of all classes continued true to their favourite tenet, that little or nothing depended upon their own efforts, almost everything upon the Legislature or the Castle.

Lord Clarendon seems to have commenced his arduous undertaking profoundly impressed with the truths contained in some of those poignant queries, which the great and good Bishop of Cloyne long ago proposed for the consideration of his countrymen. Among many others, Berkeley propounded the following questions: ‘Whether the fable of Hercules and the Carter ever suited any nation like this of Ireland?— Whether we may not with better grace sit down and complain when we have done all that lies in our power to help ourselves?— Whether there be any country in Christendom more capable of improvement than Ireland?— Whether we are not as far before other nations with respect to natural advantages as we are behind them in arts and industry?— What should hinder us from exerting ourselves, using our hands and brains, doing something or other, man, woman, and child, like the other inhabitants of God’s earth?’

Scattered abroad more than a hundred years ago, the saving truths contained in these inimitable strokes of satire, levelled by a wise patriot at the besetting sins or infirmities of his countrymen, are only now quickening into life and promising to fructify. They seem the most obvious of principles, drawn from no deep or occult philosophy, but picked up from the surface, among the commonest maxims of prudence; yet it has taken more than a century to place them in the ranks of practical opinions, and no less a calamity than a famine, as severe as any recorded in history, to fasten them on the public understanding. These truths, still sounding in the Irish ear like some great discoveries in political science, are among the plainest, homeliest, and most ancient principles in the world. The greatness of ancient Rome herself, identified as her name is with military prowess and glory, is ascribed by one of her greatest men to her industry at home more than to her arms abroad. ‘Nolite existumare,’ said Cato of Utica in the speech attributed to him by Sallust on the fate of Lentulus and his

accomplices; ‘majores nostros armis rempublicam ex parvâ magnam fecisse. Si ita res esset, multo pulcherrimam eam nos haberemus; quippe sociorum atque civium, præterea armorum atque equorum, major nobis copia quam illis; sed alia fuere, quæ illos magnos fecere, quæ nobis nulla sunt; industria domi,’ &c. The orator places industry in the front of the array of virtues to which he ascribes the greatness of the commonwealth. Industry, of course, in the language of political philosophy, comprehends every form of exertion; the exercise of the sinews of mind and body, and the sustained efforts of all classes of society,—of the men who govern no less than of those who are governed. ‘Does any country,’ says Barrow, ‘flourish in wealth, in grandeur, in prosperity? It must be imputed to industry; to the industry of its governors settling good order, to the industry of its people following profitable occupations.’

Recommendations of industry would come, indeed, with an ill grace from an administration not itself distinguished by the utmost activity and devotion to the public interests; but the government of Lord Clarendon evidently possessed this title to give advice. We might leave what may be termed his industrial policy to be expounded by his measures; but the words of an able man in high office and authority are themselves measures; and as such it may not be amiss, at this point, to show, by one or two examples, in what strain of mingled encouragement and remonstrance the Lord-lieutenant spoke to the country.

One of the peculiarities of the viceregal form of government, arising out of the dubious position of the viceroy, half the representative of the crown, half its servant, is the system of addressing him on his accession to office, and on important occasions during his administration. This system has some advantages mixed with the obvious objections to it. If, on the one hand, it is capable of being used as a means either of annoying the Government under pretence of advising, or of embarrassing it by extorting admissions of principles or declarations of intentions; on the other hand, it may have its uses as a mode of collecting the opinions of influential public bodies, and of affording the Chief Governor opportunities of enunciating truths which he may be anxious to disseminate through the community. Holding the doctrine, that in general it is the province of Government to act rather than speak, and that good measures and good appointments are the fittest and most eloquent expositors of ministerial policy, we are still of opinion that there are exceptional times, when the directors of public

affairs may appeal with great advantage to the public understanding or the public feeling, through the medium of answers to deputations or other similar modes of delivering their sentiments.

The corporation of Dublin was one of the earliest public bodies who came to pay their respects and offer their suggestions. They took the opportunity of acquainting Lord Clarendon that 'the social state of Ireland did not exhibit at that moment any very pleasing features ;' that 'the country possessed a genial climate, and a soil teeming with fertility ;' that there had 'recently been a wide-spread famine ;' with other pieces of geographical and statistical information, which it must have been satisfactory to his Excellency to receive under the corporate seal. When they came to offer their practical suggestions, it appeared that they looked to the Legislature or the Castle for everything, to the exertions of Ireland herself for nothing ; and it was further observable that this body, which demanded and expected all things, possible and impossible, from Government, entirely overlooked what Government had done for them already, and were utterly thankless for it. The Lord-lieutenant, in his reply, availed himself of the opportunity of pressing on the public some important truths.

' Differ though we may as to the means, we have the same end in view ; to promote the improvement and the welfare of Ireland must be our common purpose. You may possibly consider that this important object can alone be secured by the aid of Government and of laws ; while my belief, founded on experience both at home and abroad, is, that the less a government or a legislature interferes beyond the removal of obstructions and securing of perfect freedom, the better for the community ; because the result of legislative intervention in the affairs of individuals has, in most cases, been to put a check upon enterprise, to destroy self-reliance, and to misdirect capital and industry ; and among the best laws of recent days are those which have annulled the legislation of former times. To bad laws, most of them happily repealed, many of the evils of this country are doubtless attributable ; but towards bringing about a state of things now most to be desired for Ireland, neither laws nor the action of the Executive Government are indispensable. They may indirectly assist, but they should not, in my opinion, alone be relied on.'

Still more pointedly, in a reply to a deputation from the Roman Catholic Hierarchy, did the Lord-lieutenant contrast the gross neglect of the most pressing and obvious public duties by many individuals of all classes, with the flippant claims of the same parties for assistance from the public resources.

' Considering that the prospects of the winter were alarming, and foreseeing that scarcity would exist, and the means of procuring food would be insufficient ; I have endeavoured, through every channel, private as well as official, to obtain accurate information as to the state of the country, and the preparations that were making to meet the crisis ; and it is my duty to state, that although in many parts of Ireland the landowners and the farmers are strenuously and with manly courage exerting themselves, and proving that they are fully alive, not to their own interests alone, but to the wants and sufferings of those around them, yet that their conduct is painfully contrasted with that of others, where no such sense of obligation appears to exist ; and with entire confidence I appeal to the candour of your Lordships, whether landowners, who have contributed little or nothing towards the support of the poor, and do not avail themselves of the facilities afforded by the legislature for improving their estates—whether persons in easy circumstances who resist the payment of rates—whether those who refused last season to cultivate their land, unmindful of the will of their Creator, that by the sweat of his brow man shall live,—whether people not really in distress, who promote tumultuous assemblages in the vain hope of intimidating the Government to resume the public works, which led to so much demoralisation, I will ask whether such men, who will make neither sacrifice nor exertion themselves, are in a condition to insist that duties which the precepts of religion and the interests of society impose upon them should be performed by others ? or rather that the means for this should be exacted by the Government from classes all struggling with difficulties, and at a moment when, in England, trade and credit are disastrously low, with the immediate prospect of hundreds of thousands being thrown out of employment, and being as destitute of the means of existence as the poorest peasant in Ireland ?'

It would be easy to multiply replies and remonstrances in the same spirit. The occasions that presented themselves were many, and it is obvious what weight sentiments of the kind must have had with the reasonable portion of the public, delivered as they were with all the authority of station, the force of truth, and the freedom and fidelity of friendship. But no sooner were the words self-reliance and industry pronounced, than uprose a clamour, such as the world never heard before, from all who preferred complaints to exertions, and living on the alms of the Treasury to living by the work of their own hands or the labour of their own brains. It was as if you had gone into the streets of Aylesbury to propose a tribute to Mr. Cobden, or into the diocese of Exeter to preach charity and peace. From hall to hovel, from Castle Rackrent on the verge of insolvency to Conacre Cottage on the brink of destitution, the cry was propagated that the people were famishing, and that the Lord-lieutenant proposed to feed them with

industrial speculations and moral lectures. Nevertheless, not only was it a proper season for inculcating such lessons on the Irish mind, but it was eminently for several reasons the precise moment for pressing them. There was not merely the commonplace consideration, too obvious to be stated, that the greater the difficulties of an individual or a community, the greater the necessity for exertion, but there was the last and conclusive argument which the Lord-lieutenant placed so forcibly before the Catholic Prelates,—the prevalence of serious embarrassments through the empire generally, so serious as to make it utterly impossible for the Exchequer to continue its recent munificent scale of relief to the particular distress of Ireland. The subject, therefore, was no longer one of secondary importance; it pressed itself foremost; the difficulties of the rest of the kingdom increased tenfold the obligation upon Irishmen to work for themselves. In short, Ireland must lean upon Ireland, as England was now too weak herself to bear the weight of all. So far the argument addressed itself to the plainest interests of the country, and could neither be mystified nor misunderstood. In the eyes of Government, the importance of improving and exalting the condition of Ireland allied itself naturally and strongly with the duty of relieving its immediate necessities. They took the proper breadth of view. They considered in their due connexion, both the pressing case of the poor, and the permanent interests of the people. To meet the former they were armed with the New Poor Law, the provisions of which they determined to carry out in the amplest and most efficient manner. To advance the latter and greater object they had to consider how to reduce the amount of poverty itself, to diminish the number of those who relied upon the public resources, to lessen the aggregate of popular destitution permanently, while relieving it for the time being. And how was this design of a more politic and comprehensive charity to be accomplished; but by calling into action every principle of improvement which the country contained; by exciting and propagating the hardy spirit of industrial enterprise in all classes; invoking Parliament to remove those impediments to the introduction of capital and the employment of labour, which were not removable except by law; and, where not law was wanting, but energy and skill,—doing all that possibly could be done to stimulate the former by cautious encouragement, and impart the latter by practical education?

So interwoven is the subject of the relief of poverty with the development of industry in Ireland, that it is not very material in what order the topics are considered; but both must stand

back for some short time, while we give a brief account of the social and political disturbances, which were interrupting all peaceful undertakings. When we have brought our narrative to the satisfactory point of sedition quelled and order triumphant, we shall return to the more agreeable topics, which we are now quitting, and be better able to appreciate the difficulty of prosecuting public improvements in Ireland.

Commotions in 1847-8.—If we now imagine as much faction, as much uproar, as much obstruction of every kind as we can conceive compatible with the march or existence of a government, we shall not form an exaggerated notion of the storm which rose at the close of 1847, and raged during the greater part of the ensuing year. There was an agitation with more heads than the monster in the fable which typified sedition: a rising of the poor against the rich, a movement of the rich against the poor, and a combination of both against the law. The Government had to fight, at one and the same time, the battle of poverty against property and of property against poverty. There was the Anti-Poor Law movement, the Tenant-Right movement, and the Repeal of the Union movement,—the latter twofold, a senior and a junior sedition, of which it was not easy to decide which was the most to be detested. Beside all this, there was a miscellaneous and utterly driftless commotion and clamour, proceeding from no organised body, and pretending no definite object, springing partly from the luxury of abusing and slandering Government, but chiefly from the

‘Rauca garrulitas studiumque immane loquendi,’

in which no country has ever surpassed Ireland, since the brick-layers' quarrel at Babel.

Towards the end of 1847 this tumultuous war raged with the greatest violence against the New Poor Law. Not a few of the landlord class were prominent in the fray; and leagued with turbulent priests, deluded farmers, boisterous demagogues, and seditious newspapers, formed combinations in several parts of the country, which would have made the relief of destitution impossible, only for the firmness and resolution of a government, which was held up at the same time to public execration, as the persecutors and destroyers of the poor. Boards of guardians met only to abuse the Commissioners and rail at the Government, to refuse rates, not to levy them; obstinately and ostentatiously to neglect their plainest official duties; and where a Board was dissolved, upon evidence of the most flagrant misconduct, another outcry was raised, that a tyrannical hatred of popular institutions dictated the measure; that the Board was

put down, not because it was inefficient or delinquent, but because the Commissioners desired to establish a despotic system of centralisation, and were intolerant of every local control which interfered with their designs. Such were the creditable employments of one class of public characters.

Predial Disturbances. — The poor themselves contributed largely to the difficulties of the crisis. Crime, of a particularly atrocious and sanguinary character, had raised its head early in the summer of 1847, and had gone on increasing in extent and daring, until, at the close of the year, it demanded the most urgent attention of the Executive. Early in the month of November the Lord-lieutenant issued a proclamation of warning and advice to the rural population; and it soon became evident that the powers of the law required reinforcement. Not only were the most frightful assassinations perpetrated daily in the southern and south-western counties, but the plunder of arms reached an alarming height. In the course of that year, 1053 robberies of arms were reported to the constabulary, being an excess of 443 of the like offences beyond the preceding year.* To this unlawful arming of the peasantry the political aspect of the country gave a formidable importance. Accordingly, upon the representation of the Chief Governor, the Cabinet determined to increase his powers, and a recommendation

* The comparison of the years 1846, 1847, and 1848, with respect to a few of the most serious offences, will show the extent to which the year 1847 surpassed the year which preceded and that which followed it in crimes of the blackest dye. The extracts are from the official returns of crimes reported to the constabulary department.

	1846.	1847.	1848.
Homicides -	170	212	171
Firing at the person -	159	264	97
Highway robbery -	258	343	192
Robbery of arms -	611	1,053	237
Appearing armed -	138	206	55
Firing into houses -	167	257	95
Total - - -	1,503	2,335	847

The reported cases of cattle-stealing in 1847 amounted to the vast number of 10,044, an excess of 7,019 over the year 1846, and of 3,306 over the year 1848. This offence was a new one in Ireland, a moral result not so much of the famine, as of the demoralising systems of relief which had been resorted to in the early period of it.

to that effect was introduced into the speech with which the Queen opened the first session of the new Parliament. The crime of 1847 was not agrarian in the proper sense of the term; it did not arise from the old contention for land, which had lost much of its charms and its value for the peasantry, since their favourite crop betrayed them.* The speech from the throne properly described the atrocities of the period as partaking of a general spirit of insubordination, and an organised resistance to the rights of property. The case made by Sir George Grey for the interposition of the legislature was an unanswerable one: he showed the enormous extent to which crime prevailed, explained its dangerous peculiarities, and demonstrated, *ex abundantiâ*, that the Lord-lieutenant had not applied to have his hands strengthened until he had employed with the utmost vigour and energy the means which the law already placed at his disposal. The autumn had been especially fertile in deeds of blood, and the predial assassin had been no respecter of persons or ranks. Tenants and landlords, plebeians and patricians, had been slaughtered with the strictest impartiality, so that the ordinary cry of ‘conciliation before coercion’ altogether failed; inasmuch as the very class on whose part conciliatory measures were demanded, were themselves among the victims of robbery and murder. This feature was strongly observed upon both by Chief Justice Blackburne and Chief Baron Pigot, in their addresses to the juries, during the progress of the special commission which ensued; but, nevertheless, the proposed invigoration of the law was resisted with the utmost violence by the Rump of the Repeal Association and its organs in Parliament. Mr. John O’Connell was particularly incensed at that malignant provision of the bill, by which magistrates and constables were authorised to call upon all males between 16 and 60, (young Ireland or old Ireland,) to join in the pursuit of criminals; and on refusal to obey, subjected the offender to the penalties of misdemeanour. Dr. Cantwell, Roman Catholic Bishop of Meath, expressed his abhorrence of the measure by a liberal donation to the Repeal Association; and the

* The number of agrarian crimes reported to the constabulary in 1847 was only 620. The number for 1846 had been 1303. In 1848 and 1849 the numbers were 795 and 957 respectively. The great decrease in 1847 resulted undoubtedly from the despair occasioned by the calamity of 1846. As confidence in the potato became partially restored, agrarian crime appears to have returned with it. This was to have been expected; but Ireland has probably gone through the worst stage of that old and deep-seated malady.

Right Reverend John of Tuam, in a letter addressed to the Prime Minister, gave it a still more truculent opposition. Parliament, however, passed the bill, and in the month of January, fourteen proclamations were issued under it, extending its protective provisions to as many counties, or parts of counties.*

Another and contemporaneous measure of vigour was the special commission, already alluded to; its results were in all respects satisfactory, except in the additional evidence they afforded of the frightful disorganisation of parts of the country. But the law triumphed over anarchy and bloodshed; the terror which reigned among the innocent was transferred to the guilty; the measures of the Government were justified by the number and atrocity of the offences; and the conduct of the juries proved that, at least in such a contest as this, there existed, in the middle classes, a fund of sense and courage upon which authority might rely with confidence.

The Commission was of course assailed, with the utmost violence, by all the organs of sedition; but special commissions now are not what they were in Ireland twenty years since. The progress of time has brought with it no change more remarkable or more salutary than that which has taken place in the administration of public justice. The administration of the law in Ireland is no longer disgraced and paralysed by the continual imputation of partiality, an imputation which was often just, and always plausible. Justice has been rapidly advancing to that standard of perfection, felicitously likened to the wife of Cæsar, not only above reproach, but above suspicion. It can no longer be said, with a shadow of reason, that there is one measure for the Protestant and another for the Catholic; and crime no longer wears the hues of patriotism, because justice is arrayed no more in the colours of party.

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- * The chief powers given by the act were the following:—
 - To proclaim disturbed districts.
 - To increase the constabulary in such districts.
 - To apprehend persons unlawfully carrying arms.
 - To search suspected persons.
 - To require inhabitants to give up arms upon a certain day.
 - To issue warrants for the seizure of arms in proclaimed districts.
 - To authorise magistrates and constables to call upon all males between the ages of sixteen and sixty to join in the pursuit of offenders.
 - To punish accessories after the fact whether the principal offenders have or have not been convicted or taken.
 - To remove prisoners from prison to prison.

Look at the composition of this special commission: Chief Baron Pigot, a Catholic, and Chief Justice Blackburne, a Protestant, concurrently administering the law; a Catholic Attorney-General prosecuting; not a vestige of political or religious exclusiveness to be detected in the smallest wheel of the machinery, from the original report of a crime at the nearest police-barrack, to the deck of the convict-ship, or the front of the county-gaol. And this is within a quarter of a century, from the day when every office and employment connected with the Government and with public justice, from the Viceroy in the Castle down to the watchman snoring in the streets, was considered the indefeasible right of orthodoxy and orangeism.

Political Agitation.—But though one description of crime was thus visited and repressed, another variety, more dangerous and less easily controlled, continued to flourish. The murderer was exonerated; the bandit transported; but the incendiary who fired the public passions, the anarchist who laboured with tongue and pen to throw every thing into confusion, not only eluded the law, but insolently defied it. Written and spoken outrage increased apace. We shall be excused for declining to quote the truculent speeches and execrable publications with which the Castle was libelled, the Country disgraced, and the Empire astonished. Small talents, bloated with the importance of mischief and the applause of ignorance, became formidable instruments of disorder. The public disturbers had several remarkable advantages. From the immensity of the prevalent distress, they derived the most powerful of all engines of popular excitement; in the short-comings necessarily incident to the most extensive and diligent relief, they had a copious supply of the most inflammatory and exasperating topics; while the old system of agitation placed a machinery at their disposal, capable, perhaps, of being improved, but no bad organisation, as it stood, for the purposes of sedition. Perhaps it was hardly prudent in the Lord-lieutenant to felicitate the friends of order, as he did, soon after his arrival in Ireland, upon the comparative lull in the political atmosphere. We can imagine the malignant chuckle with which this must have been received by the host of anarchy, and we can conceive their instantly resolving that his Excellency should not long have a state of tranquillity to brag of. Certain it is, that in the very beginning of 1848, a tempest was howling round Dublin Castle, more threatening than that civil fortress had sustained for many a year. The Poor Law, the law for the suppression of outrage, and the special commission, were the principal points of attack. When once the flame was kindled, there was no want of fuel to feed it;

the good measures adopted by the Government served the turn of the firebrands as well as the worst that could possibly have been taken; the crime and the misery of the country were not better cards in their hands than the laws which were passed, and the steps which were taken, for the public protection and relief. Things were come to the pass described by Tacitus:—
 ‘conflatâ magnâ invidiâ, seu bene. seu male gesta premunt.’

Beside the exciting topics of the hour, there was also, of course, the old *materiel* of agitation, the standard complaints, all the more useful for being partly fanciful, partly incapable of easy or speedy satisfaction,—the dear historical reminiscences, those fossil remains of grievances,—how a Norman archer, in the time of the Plantagenets, plucked an Irish gallowglass by the glibbe, or how the nose of a kerne, in some remote century, was tweaked by a Saxon yeoman; all that antiquarianism had contributed to sedition, and the vivacity of young Ireland to the dull disaffection of the parent-stock. We doubt if the true character and extent of the combination, which Lord Clarendon had to deal with in the spring and summer of 1848, has ever been fully understood or stated. The danger of the period has been incorrectly estimated, by limiting our view to the more prominent disturbers of the country, who were in reality only the edge of the battle, with a solid mass of latent sympathy, criminal neutrality, and virtual support and encouragement, at their back, which gave them their real weight and consequence; while, being more quiescent and reserved, it not only eluded justice, but in a great measure escaped observation. ‘Is
 ‘habitus animorum fuit, ut pessimum facinus auderent paucis,
 ‘plures vellent, omnes paterentur.’

Rise and Progress of Young-Irelandism.—In the first place let us see what this Young-Irelandism was. It may be said to have sprung out of the monster meetings of 1843. Mr. O'Connell was not only in truth its sire, but for a considerable time he professed to be vain of his young brood, the pledges of his unfortunate dalliance at that period with the genius of physical force. It seemed a pity and an absurdity that such mighty masses of men should be assembled only to disperse at the beck of a constable; to be marched up hills only to be marched down again, like the French army in the nursery rhyme. It was not very easy to stick to the theory of constitutional agitation after what was witnessed at Tara and other places. If Mr. O'Connell had not resolved to change his course, and fling his ‘shed not a drop of blood’ principle to the winds, there was much in his conduct and language that looked exceedingly like it. Some green-witted young men, accordingly,

began to think that the time was approaching for making theory square with practice, and for calling things by their right names. They commenced by exposing what they called the sophistry of the moral-force system; avowed their intention of familiarising the country to the ideas of arms and insurrection; and, in aid of their design, opened a sort of literary pantheon, where they set up the memories, exploits, and catastrophes of the Emmets, Tones, and Fitzgeralds for worship and imitation. Thus a new school of sedition was instituted, which, after the fashion of the day, took the name of Young Ireland. There was more puerile coxcombry in it at the beginning than matter of serious import; and they amused the world for a good while with their extravagance before the mischief which lurked under the folly, like the asp in the flower-basket, began to make itself felt. At first they wrote more than they talked, of itself a novelty in the most loquacious country in the world. In verse they were particularly fruitful; for, as in the Old Ireland party, there was not a man who was not an orator, so it was observable of the Young Ireland party, that there was not a man who was not a poet. And since, under the sun, there is nothing new, in those ‘minstrel boys’ who were prattling of ‘going to the wars,’ the student of history saw only a reproduction of the Irish bards of whom Spenser has informed us, that ‘so far from instructing ‘young men in moral discipline, themselves do more deserve to ‘be sharply disciplined; for they seldom use to choose unto ‘themselves the doings of good men for the arguments of their ‘poems, but whomsoever they find to be most bold and lawless ‘in his doings, most dangerous and desperate in all parts of dis-‘obedience and rebellious disposition, him they set up and glorify ‘in their rithmes; him they praise to the people, and to young ‘men make an example to follow.’

We have said that Mr. O’Connell at first indulged and flattered this young blood; pronounced their prose the top of English composition, and the music of their wild harps echoes of Tyrtæus. This, however, did not last long. He either grew jealous of their growing consequence or became alarmed at their violent conduct; at all events, he soon began to snub, and ended by denouncing them. There had been a time when O’Connell’s denunciation would have been a mortal blow; but his political influence was waning with his physical powers, and the only effect produced was a kind of amicable splitting of the repeal party into two co-operative factions,—the moral-force men and the physical-force men; the latter, however, carrying it hollow in point of activity and earnestness. They speedily became more than mere journalists and rhymers; had their Irish

Confederation to vie with Conciliation Hall; and in Mr. Smith O'Brien acquired a leader, who, being descended from a redoubted Irish king, was everything that the wildest Irish party could desire, saving the unlucky Smith, which was very small and very Saxon. Here we might imitate Homer, call over the muster-roll of sedition, and review the Dohenies, the Duffys, the Meaghers, and the Mitchells; but we cannot afford to be so minute, and shall merely refer the reader to the 'Hue and Cry,' their only army list ever published.

Despicable, however, as they look now, scattered in disgrace and exile over the face of the globe, they formed, as we have said, at the time of Mr. O'Connell's decay, and still more decidedly after his decease, the most prominent and the most troublesome part of the anti-British movement. In the early part of the year 1847, the moral-force repealers seemed almost extinct; and even at its close they were not very significant, though at that period they, as well as all other disturbers of the public peace, encouraged by the distress which flooded the nation, and rejoicing in the difficulties that beset the Government, were beginning to pluck up a spirit.

Account of the Public Commotions in 1848.—Early in 1848, the old agitation, composed of those who were not physically but only 'morally and constitutionally' seditious, wore a flourishing aspect. Many Roman Catholic bishops and flocks of parish priests enrolled themselves in it, contributing liberally to the funds of Conciliation Hall, whose weekly income at that time often considerably exceeded one hundred pounds. The two forms of turbulence were growing daily more conspicuous; and it was impossible not to see that they had many more points of agreement than of difference. Their discrepancies were theoretical, their agreement was practical; they had a common animus of mischief and disaffection, with conflicting notions as to the mode of attaining their objects; in short, although they often abused and rated one another, they were excellent friends at heart. It is important to understand this matter clearly. The agitation must be considered as a whole; for it was as a whole the Government dealt with it, and as a whole they defeated and extinguished it. The merit of the victory was not the mere humiliation and discomfiture of the clubs; it involved the complete overthrow of all that pestilent agitation which, under various names and pretexts, with various machinery and various degrees of audacity, had for many years embarrassed the Government and retarded the improvement of the country.

The revolution in France, with the triumph of socialism and

communism which accompanied it, would have drawn a broad line of separation between the old and the new repealers, had they not been two bodies with one spirit. But the O'Connells and the O'Briens went simultaneously mad with joy, on the red republic in Paris appearing to promise a green republic in Dublin. On the 3d of March, we find Lord Wallscourt in the chair of the Irish Confederation, and Mr. Duffy proclaiming that Ireland's opportunity was come. On the same day the old Repeal Association addressed the Irish people in nearly the same language. The latter voted an address to M. Ledru Rollin; the former only went a step further by despatching Mr. O'Brien and Mr. Meagher in the capacity of ambassadors to Paris. Illuminations and festivals in almost every town in Ireland, rejoicings in which the two factions cordially concurred, demonstrated the common spirit that actuated both.*

It was not, however, with French anarchy alone that this mass of growing disaffection manifested such strong sympathies, but with anarchy throughout the world; it resembled one of the monstrous creatures referred by zoologists to the class hydra, which thrusts forth those vagrant organs called 'tentacula,' in all directions, trying for support, or searching for nourishment; it shot forth a Meagher and O'Brien to attach itself to the red republic, protruded a Doheny to the Chartist, extended a Mitchell to the Whiteboys, and sent another feeler across the Atlantic, yearning to assimilate with any kindred natures among the Yankees; in short, wherever there was any thing mutinous, turbulent, insane, or vagabond in any corner of the world, the Repeal Confederacy, but especially Young-Irelandism, claimed relationship with it, and courted its alliance.

It was now resolved to hold simultaneous meetings on St. Patrick's day (the 17th March) all over Ireland; extraordinary efforts were made to stimulate the populace in the provinces, and great exertions also to reconcile the differences that kept the two shades of green asunder. The appeals of Young Ireland to Old Ireland, with the view of coaxing the latter to

* The embassy to Paris met with the most frigid reception from M. Lamartine, at the Hotel-de-Ville. The poet-minister informed them that the Provisional Government 'belonged to no party in Ireland, and did not wish to be the enemies of any of their countrymen.' In fact, the mimics of Wolfe Tone were laughed out of France; and sought to recover their ridiculous failure by pretending that the French government had only spoken 'diplomatically.' Falstaff says to Shallow, 'I shall be sent for in private: look you, he must seem thus to the world.'

move a little faster along the road of revolution, were earnest and indefatigable. Old Ireland was equally industrious to moderate the speed of Young Ireland; not that it loved rebellion less, but that it feared the rope more. The Government was watching them both, amply provided with means of suppression, but anxious at once to preserve order and prevent alarm. On the 15th of March the Irish Confederation met at a place called the Music Hall. Speeches inflammatory and seditious beyond what had yet been ventured upon were delivered upon the occasion. A few days subsequently Mr. O'Brien, with his two accomplices, Meagher and Mitchell, were arrested and held to bail; the two former for their harangues, the latter for a series of the most atrocious libels in a newspaper called 'the United Irishman'; among others for a letter addressed to the Viceroy as 'Her Majesty's Executioner General of Ireland.' This was the first blow struck by the Castle. As usual in such cases, the Government was reproached by some with not having noticed these proceedings sooner, and by others with condescending to notice them at all. That the Lord-lieutenant, through the whole struggle, took his measures at the proper time, is evident now from the complete success that attended them. Forbearance up to a certain point was clearly his policy; to see what effects upon the public mind were produced by the inflammatory appeals made to it; to ascertain whether these appeals might safely be treated as the ravings of folly or fanaticism; to observe whether the spirit of turbulence and disaffection was increasing or diminishing, under the action of the strong stimulants applied to it; and, further, to make the exposure of the entire sedition, in all its bearings, connexions, and aspects, (whether more ridiculous than formidable, or more formidable than ridiculous,) as complete as possible, with a view, as we have already said, to its utter and final overthrow. State prosecutions indeed are always delicate affairs, and there were peculiarities in the law in Ireland at that time which made these prosecutions particularly hazardous. In fact, it was already obvious that the law was too weak to grapple with the turbulence which existed. Far from being intimidated by the impending trials, the incendiaries were no sooner admitted to bail than they renewed their criminal proceedings with redoubled violence. In fact the existing law was rather an attraction to the seditious, than a discouragement. The crime was vague, the punishment slight, the chances of escape considerable: and between arrest and trial the public was at the mercy of the agitator, who might possibly reckon upon an intermediate accomplishment of his revolutionary objects. To

apply the law of treason would have been neither easy nor desirable ; speeches and articles alone would not come within its definition, and even if that difficulty could have been got over, another would have immediately occurred, arising from the magnitude of the penalties in an age so averse to extreme punishments. In short, the law of sedition was below the mark, and the law of treason above it ; it was, therefore, expedient to meet the circumstances of the period and the peculiarities of the crime by a new enactment.

These perilous forms of sedition were accordingly made felonies : the precision of the new law materially reduced the chances of eluding it ; the consequences of conviction had much more of the pains than the charms of martyrdom ; arrest was followed by committal and present incapacity for further mischief, while a punishment at once infamous and merciful satisfied both the claims of justice and the clemency of the public feeling.

The bill met with some opposition in the House of Commons, on purely constitutional grounds ; but the chief resistance to it was offered by Mr. John O'Connell on the part of the old agitation, Mr. O'Connor on the part of the chartists, and Mr. O'Brien himself on the part of the rebellious clubs. The figure the latter gentleman made in rising to oppose a bill for securing the Crown and Government against the machinations of himself and his accomplices, was rendered doubly disgraceful by the fact that he had just returned from his treasonable mission to France. The would-be Cataline was received in scornful silence by an assembly of loyal gentlemen, and Sir George Grey, amidst the loudest acclamations, gave vent to the suppressed feeling of the House of Commons.

The new statute came no sooner into force than Mr. Mitchell was seized under its provisions, brought to trial without delay, convicted, sentenced, and with imposing promptitude transported, almost from the dock, as a felon to Bermuda.* This was the second blow ; first it stunned, then it maddened the incendiaries, who agitated more furiously than ever, and extended their insurrectionary organisation with increased industry and vigour.

We have taken some pains to ascertain the number of the insurrectionary, or Young Ireland clubs, that existed in 1848, with the dates of their respective formations, the number of

* The speeches and writings for which Mitchell was tried were not those for which he had been previously held to bail, but were made and published subsequently to the passing of the statute.

members belonging to each, and the most important details of their organisation and proceedings. There were, in the city of Dublin, 44 of these clubs, whose existence and meetings were known to the police ; their members varying in number from 20 to 450 ; the collective force being 4407, according to the estimate of the police authorities, founded upon actual observation.* The stated meetings of these bodies were in general held weekly, but the club-rooms were open daily ; and when not used for debating, were used for drilling. It was estimated by the police that about a tenth of the numerical force of the metropolitan organisation consisted of law-clerks, apprentices, and shop-men ; the bulk being composed of the lowest class of artisans. Every club-bist was bound to be provided with some offensive weapon, and it was the duty of officers, called wardens, to see that this regulation was complied with. The Young Ireland clubs were therefore essentially armed bodies, forming a confederacy, utterly incompatible with public tranquillity and safety, let their discipline have been ever so imperfect, and their equipments ever so rude. The pike was a favourite weapon ; its murderous efficiency was extolled in odes, and its exercise systematically taught in speeches and essays ; moreover, pikes, daggers, and many similar weapons, were largely manufactured and extensively sold. But fire-arms were not neglected. There were four 'confederate shooting galleries' in the metropolitan district, which were thronged day and night with the amateurs of rebellion and rifle-shooting. The target used upon

* The above estimate is the official one, founded on the observation of the police. It is probably much under the truth, as the clubs must have contained more members than ever actually assembled at any given meeting. We find in 'the Freeman's Journal' a report of a meeting of the Irish Confederation, on the 3d of May, at which the following clubs are stated to have attended, in the numbers assigned to each : — Grattan Club, 600 ; Doyle Club, 400 ; Davis Club, 400 ; Sheare's Club, 100 ; Swift Club, 500 ; Curran Club, 100 ; Mercantile, 250 ; St. Patrick's, 400. Of these, five, the most numerous, were established in 1847 ; these were the St. Patrick's, the Grattan, the Swift, Doctor Doyle, and Davis Clubs, containing altogether 1585. Of the remainder far the majority started up in the month of June in the year ensuing, after the punishment of Mitchell, and with what increase of violence and daring may be inferred from their nomenclature alone ; for instance, we find in the list before us the Ninety-Eight, the Enmet, the Redhand, the Wolfe Tone, the Lord Edward Fitzgerald, the Sheares, the Mitchell, the Felon, the Irish Felon, the Bermuda. The Mitchell, Bermuda, Oliver Bond, and Curran Clubs mustered 737 members.

some occasions, was a lay-figure designed to represent the Chief Governor.

Drilling went on briskly during the spring; the club-rooms, yards of factories, and ruinous houses were used for the purpose. The public, particularly the citizens of Dublin, began to feel extremely uncomfortable, in the midst of all these preparations. The clubs paraded openly at least once a week, sometimes twice; now marching from their several quarters to the meetings of the Confederation, now to some rendezvous in the suburbs; sometimes by day, sometimes by night, occasionally with shouts of defiance to the authorities, but more frequently with a regularity and silence still more alarming. The captains now and then appeared in military uniforms, and two of them were arrested, on different occasions, manœuvring their men in the public streets. In short, had these things been endured much longer, it would have amounted to a formal abdication of the functions of Government.

Before the trial of Mitchell, this intolerable state of things had engaged the most serious attention of the Lord-lieutenant. Enraged at the change in the law, and at the approaching fate of their leader, the Confederation had resolved upon organising a National Guard and a National Convention; and the Viceroy had issued a proclamation of warning against that and other projected treasons. The metropolitan police, always in the highest state of efficiency, under their able commissioners, were specially armed and instructed for any emergency that might arise; and some addition had also been made to the force of the garrison. The conviction of Mitchell, as we have said, drove the disaffected into further violence. A newspaper called 'the Fclon' started up in the place of 'the United Irishman.' Thirty-two new clubs were formed in Dublin, in the course of the month of June and the beginning of July. In the provinces, also, the organisation was spreading widely. The papers of the Confederation, seized by the police, proved the existence of 64 clubs, scattered through 19 counties; but the number was probably much greater. So far back as January, we find Mr. Smith O'Brien attending a meeting of the Sarsfield club at Limerick, in the capacity of 'Inspector-General of the confederated Clubs of Munster.' In the city of Cork alone there were seven clubs, of which four mustered 900 members. The law and the Government were now openly defied. All descriptions of treasonable preparations were carried on with redoubled diligence. Rebellion was no longer vaguely prated of, but formally declared; nothing was left unsettled, save the convenient and proper moment for revolt. The leaders dispersed

themselves through the provinces, hectoring and blustering wherever they went, founding new clubs, talking the most rampant treason in every town and village, speaking and acting as if they had already trampled the law and the Government under their feet. But the Government, which had hitherto been watching them with a hundred eyes, was now prepared to smite them with a hundred hands. Power of proclaiming and disarming districts was already at the Lord-lieutenant's command; and on the 18th of July, to the great dismay of the clubs, this power was exerted, and Dublin, Cork, Kilkenny, Waterford, Drogheda, and Galway, along with some half-dozen counties, were subjected to the wholesome rigours of the act. This bold resolution took the enemy by surprise; for as the law had been made especially for the counties, to suppress predial outrage, the anarchists had never dreamed of its application to cities and towns.

In the process of disarming the capital, the quantity of arms seized by the police in the possession of disaffected or suspected persons, showed the extent of the insurrectionary preparations. There were seized 483 guns, 35 blunderbusses, 433 pistols, 396 swords, 96 sword-canes, 92 pikes, 194 bayonets, 106 daggers, 24 bullet-moulds, and 690 gun-stocks; what flasks of vitriol (Mr. Mitchell's favourite engine of war), and other mortal tools theretofore unknown in civil strife were found, we have no exact information. This was cutting the claws of sedition, and plucking out its fangs. The arms seized were of course but a small part of the quantity which had actually been collected; for, as the intention to put the act in force had been publicly notified, opportunity was afforded for removal and concealment. It was ascertained afterwards that one person succeeded in removing 600 stand of arms by night; and for several months subsequent, arms of various kinds were continually picked up by the police and others, in sewers, rivers, canals, doeks, hedges and thickets, fields and gardens, through the environs of Dublin.*

* In the arsenal of the Dublin Metropolitan Police, at Dublin Castle, numerous mementos of the period may be seen by the curious in these matters: they include, among other objects, the arms seized when the city was proclaimed; a tricolour flag imported from Paris by the embassy which had been despatched for French assistance; and a series of drawings in chalk, executed with remarkable spirit, exhibiting the heroes of the green republic going through all the evolutions of the pike exercise. These instructive sketches were found in the rooms of one of the clubs. The place where these curiosities are deposited is, in fact, an 'Exposition' of Celtic Industry, or sort of Museum of Insurrection.

With the same vigour, the Government now silenced the abominable journals which had replaced 'the United Irishman'; demolished their presses, confiscated their types, seized their editors, and cast out their devils. The faction was thus fairly driven into the field, about which they had been blustering for so many months. The leaders, in different parts of the country, and in different strains of bombast, invited the populace to instant insurrection.

Meanwhile, application had been made to Parliament for those high powers which the Constitution reserves for extreme cases of public disorders. On the 22d July a bill to suspend the Habeas Corpus was introduced in the Commons by Lord John Russell, with a weight and authority proportioned to his well-known repugnance, personal and hereditary, to all coercive measures and diminutions of the liberty of the subject. On the 25th the bill received the royal assent; and on the 27th the Lord-lieutenant issued proclamations offering rewards for the capture of Mr. O'Brien and three other persons charged with overt acts of treason.

The rest was farce: rebellion burlesqued; the lowest description of treason which ever provoked the penalties of that high crime. The insurrection of Frost looks like the Great Rebellion beside that of Mr. Smith O'Brien. He took a constable prisoner, made booty of a horse, stormed a cabin, and was totally overthrown in half an hour by a handful of police. During that memorable conflict, the generalissimo of the rebel host took up a strong position behind some cabbages, or, (as some annalists insist) cauliflowers; for to this day, to the reproach of history, the point has not been sufficiently cleared up. Thus ended the civil war of 1848, between the descendant of Brian Boru and Her Majesty Queen Victoria. He committed several great military blunders, any one of which would have ensured the defeat even of a Wellington or a Napoleon. He went to war without a commissariat, without money, without arms, and without an army; so true was the *mot* of Curran, speaking of the turbulent portion of his countrymen, — 'They make bad subjects, but worse rebels.'

The rest fled in all directions and disguises; hid themselves in every hole, as much from laughter as from punishment. The bullies, who only yesterday had been bearding 'old father 'antic, the law,' now quaked and ran before the shadow of a constable.* The imps and dwarfs, and 'demi-puppets,' whose

* By a parliamentary return, dated Feb. 3. 1849, we find that 118 persons, charged with treason or treasonable practices, were either

province was to make ‘midnight mushrooms,’ and who had been trying to ‘bedim the noon tide sun, and call forth the ‘mutinous winds’ were forced to confess themselves ‘weak masters.’ Thus instead of the agitation crushing the Government, the Government, amidst the applause of the empire, triumphantly crushed the agitation. The merit and completeness of the victory won by the Lord-lieutenant consisted in this, that the rebellion ended in ridicule not in bloodshed, and that not the Young Ireland infatuation alone, but the entire wicked delusion of Repeal, out of which it sprang, was utterly extinguished and exploded: the rout was total; or nothing remained but what served to show more conspicuously the extent and finality of the defeat. O’Connellism fell with O’Brienism, to crown the demonstration that, with all their fraternal bickerings, they were one and the same seditious nuisance.

There were not wanting people who, through all this abortive movement, thought, or affected to think, that the Castle might safely have despised it, and left its authors to the chastisement of public ridicule. No doubt the folly of the affair was enormous; but the harmlessness of folly is the shallowest of notions, mischief being indeed of its very essence, as the bluntest weapon will often inflict the most dangerous wound. No doubt there was infinite vapouring and swaggering: there was many a Thersites, and many a Bobadil and Parolles among the captains. There were instances in profusion of all the forms of absurdity,—the frog puffing itself into the bull, the daw mimicking the eagle’s exploit, the ass in the spoils of the lion, and the mountain parturient of the mouse; but we are not the less satisfied that there was mingled with all these varieties of folly and extravagance an element of danger against which no administration could, without the utmost temerity, have neglected to provide. Society is exposed to a multitude of evils short of those which turn kingdoms topsy-turvy.

As it were to make perfection more perfect, an impotent attempt was hazarded, towards the close of the following year, to re-open Conciliation Hall and set the mischief again brewing. After an existence of some months as like death as life could

committed or detained in prison by the Irish Government, under the provisions of the Habeas Corpus Suspension Act. All these persons (excepting those who were brought to trial and convicted) were liberated the moment public tranquillity ceased to be in danger. At the end of the year only nine state-prisoners remained in custody, so very leniently were the powers of the Government exercised.

be, the books and old newspapers were sold by auction, and the ghost was formally given up. The Dublin chronicles of passing events gave an afflicting account of the scene. Mr. John O'Connell, having pronounced the funeral oration, and announced 4*l.* 10*s.* as the rent of the week,—‘ The audience, which was scanty, withdrew; nor did they take long to do so. An old lady who sat in the gallery was the last but one to leave the Hall. She uplifted her eyes and hands towards heaven, and remained for a moment in an attitude of prayer or amazement at the mutability of human affairs. In the Hall sat an elderly and care-worn man, in bankrupt circumstances. His bad hat was slouched over his eyes, his head drooped, and his chest was supported by a stick. He was almost stupefied by the dread reality. When all but himself had withdrawn he arose, and silently and mournfully walked out into the street’—the last of the Repealers. Thus ended this, the lowest and most shameful agitation which ever wore the mask of a great public object. It originated in selfish turbulence; it flourished by the most daring imposture; it died of its own emptiness and sterility, amidst universal ridicule and scorn. There was no principle of vitality in it, but the impracticability of its object. It derived all its life and hopes from the very solidity and indissoluble unity of the great kingdom which it impudently promised to rend asunder. With some few intermissions, it ran a career of twenty years, during which it produced no talent or eloquence of any note or worth; while, on the other hand, it signally discredited the great abilities of its author, and utterly blasted his previously acquired fame. More convincing proof cannot be conceived that it was not a struggle for liberty, or the quarrel of a nation. It was not Ireland that disgraced the cause, but the cause that disgraced Ireland. We need not add how much it also damaged her. Were it possible to sum up and bring into an account all the energy thrown away in this idlest of all imaginable enterprises, the time squandered in it, the means wasted, the improvements retarded, and the influence and just weight in the empire forfeited by it,—we should have a large and serious reckoning on the part of Ireland with the false patriotism which embarked her in such a struggle.*

The trials for high treason may be briefly disposed of here, though they were not so disposed of by the courts of law. At

* Mr. John O'Connell, we observe, is now vainly attempting to revive the defunct agitation upon an exclusively Roman Catholic basis.

a special commission, held in the month of October in Clonmel, Mr. O'Brien, Mr. Meagher, and two others, were tried, found guilty, and sentenced to the extreme penalties of the law. That those antiquated and barbarous penalties would not be enforced, was, of course, notorious to all the world; but the convicts themselves assumed the airs and claimed the honours of martyrdom. There were points of law reserved, however, for the superior courts in Dublin; and when, after long delays, these points were decided in favour of the Crown, there still lay an appeal to the House of Lords, which further postponed the fate of the prisoners, whatever that fate was ultimately to be. In the month of June, however, the Lords confirmed the decisions of the tribunals in Ireland; and now all difficulties seemed removed, whether in the path of justice or of mercy, when a new and totally unforeseen difficulty arose;—the convicts objected to any mitigation of penalties, and insisted upon their right to be executed pursuant to their sentence. It was formally contended that the Crown had no right to be merciful to Irishmen convicted of treason, and that to transport them, instead of hanging them, would be a monstrous stretch of arbitrary power. No obstruction, so absurd as this, had been offered to the course of public justice since the days of Queen Elizabeth, when the historian informs us that an Irish rebel (possibly an ancestor of Smith O'Brien) demurred to expiate his crimes in a halter, affirming that by the law and custom of Ireland he ought to be hanged in a withc. No serious doubt was entertained in the present case as to the right of the Queen to commute these sentences into transportation; but, nevertheless, it was thought expedient to pass a declaratory act to prevent future cavilling on the point. This step having been taken, nothing remained but to inflict the minor penalty; which was carried out as much to the satisfaction of the public, as either the extreme penalty of the law, which nobody thought of,—or complete impunity, which a few giddy people recommended,—would have been displeasing to it.

Fruits of restored Tranquillity.—Among the numerous fair fruits of the tranquillity thus restored in Ireland, was the inducement it offered to the Queen to visit a part of her empire hitherto known to her only by name,—a name unhappily associated with few images of prosperity or repose. That gracious visit was a well-timed proof of the royal confidence in the unshaken allegiance of the great bulk of the Irish people; and it was likewise a just compliment to the energy, prudence, humanity, and moderation by which the late unfortunate tumults had been so happily composed. Indeed, if any where the spirit of disaffection was yet un-

subdued, there was no more effectual mode of completing its humiliation than by calling forth the loyal enthusiasm of the country at large in contrast with it. Even when the hubbub was loudest in the previous year against the British Government, there were few who doubted that if her Majesty had set her foot on the Irish shores, the strength of the popular feeling and the heartiness of the popular rejoicings would have silenced the seditious uproar; but now nobody believed that a single discordant murmur would dare to interrupt the symphony of the national greetings. The appearance, indeed, of the Queen among her Irish subjects was all that was wanting to complete the ascendancy of loyalty over treason, and of order over tumult. Nearly thirty years had elapsed since a British sovereign had appeared in Ireland; and how little was there in common between the visit of George the Fourth and that of Queen Victoria, save the ordinary and formal incidents of a royal progress. George the Fourth in Ireland was not the king of a free nation: the victory of civil and religious liberty had not been achieved; men were divided and subdivided into sects and parties; a minority engrossed the Government and ruled society; the existence of the people had not been recognised, and the king was identified with the system under which a faction held the nation in thrall. Thus the crown of England (deriving its lustre from the laws and liberties, the rights, franchises, and institutions which contribute to the peace and welfare of the realm,) possessed for the Ireland of 1821 little of the glory that now belongs to it. Those popular principles and sympathies, which are its brightest jewels, and which are now firmly set in it for ever, were wanting. It was not at that time, what it is at present, on the brows of Queen Victoria,—the diadem of a monarch dear to and identified with all her subjects. In that character, at once august and affectionate, she made her summer voyage to Ireland. Her visit was to the nation; and the nation which welcomed her was not only loyal but free. It need hardly be remarked, how private qualities concurred with public attributes to make that welcome cordial. Her progress, comprehending the capital and principal cities, afforded people of all orders and classes opportunities of testifying their joy and presenting her with their homage. ‘And joy came well in such a needful time.’ It was exuberant and universal. Loyalty to a young Queen partakes of the ardour of gallantry; and never before were the vows of allegiance paid to a royal lady with more rapturous and passionate devotion. Our greatest poet has described the popular reception of a former fair sovereign of England, in

language which every step of the royal tour in Ireland might well have recalled to the spectator's memory :—

‘ Whom when the people
Had the full view of, such a noise arose
As the winds make at sea in a stiff tempest,
As loud, and to as many tunes ; hats, cloaks,
Doublets, I think, flew up ; and had their faces
Been loose, this day they had been lost ; such joy
I never saw before.’

To have witnessed that joy would have been the fittest punishment for the disaffected. In the presence of that great enthusiasm, revealing the heart of the country, and showing the foundations of the throne laid in its natural and honest sentiments, not in coercive laws or in the terror of arms, disloyalty would have died of its own spite, and mortified treason have stung itself to death. We do not remember, in the chronicles of royal progresses, to have met with any description of a scene more splendid, more imposing, more joyous, or more memorable, than the entry of the Queen into the Irish capital. Never did a city pour out her inhabitants in vaster masses, or enjoy a more triumphant holiday. The houses were roofed and walled with spectators, throng above throng, until they clustered like bees around the vanes and chimney-tops. The noble streets of Dublin seemed to have been removed, and built anew of her Majesty's delighted subjects. The squares and larger spaces resembled the interiors of crowded amphitheatres. The façades of the public buildings were formed for the day of radiant human faces. Invention had exhausted itself in diversifying the language of greeting and the symbols of welcome. The chariot of the gratified sovereign passed for miles among gay streamers, waving banners, festal garlands, and under gigantic arches, which seemed constructed of solid flowers, as if the hand of Summer herself had raised them. Joeund music at every point sent forth appropriate strains of gratulation ; but neither flowers, nor arches, nor music, could have expressed the feelings of the myriads who rejoiced upon that secular occasion ; the jubilant shouts alone which tore the concave, and were audible, loud, and clear, not only above drum and trumpet, but above the saluting thunders of the fleet, adequately conveyed to the Queen's mind the gladness which her presence inspired.

A single incident, illustrative of the royal sympathies with national objects and interests, must stand for many of the same character in this necessarily abrupt narrative. It did not fail to be remarked, that the first institution which her Majesty visited in the capital was the central establishment of the National

Schools, the first and fairest fruits of the triumph of civil and religious liberty in Ireland, the noblest possession of the Irish people. Those excellent seminaries, where half a million of the youth of all religious persuasions are trained up together, not in the love and pursuit of knowledge alone, but in that spirit without which all knowledge is as a ‘tinkling cymbal,’ were eminently worthy of the preference and favour accorded them. From thence is banished all sectarian discord, while there the religious independence of every sect is perfectly secured. There, while the most useful, solid, and practical instruction is imparted, one best adapted to the objects, interests, wants, pursuits, and occupations of the poorer classes, out of the genius and nature of the system itself springs a still more valuable education, more important to humanity, more pregnant with blessings to society,—the lessons of mutual forbearance, an education in the divine art and Christian practice of ‘dwelling together in unity.’ Her Majesty was attended in her survey and inspection of these institutions by a Protestant and a Roman Catholic archbishop, and the representatives of other Christian denominations, patrons and promoters of the same great public interest, stood around her. In that circle she beheld distinctions existing without discord; a living proof, how men can keep their separate spheres of doctrines and opinions, with the strictest regard to duty,—while, in obedience to a more comprehensive law, a higher yet concurrent obligation, they move and act harmoniously together in the wider orbit of life and practice. Seeing this, the Queen beheld the admirable spirit of the national schools, and one of the greatest and most hopeful principles of improvement and progress now at work in Ireland.

The Commissioners have recorded in the following language the impression made upon them by the royal visit to their schools, and their sense of its importance:—

‘ We cannot conclude our report for 1849, without alluding with pride and gratitude to the visit with which our model schools were honoured on the 7th of August, by her Majesty Queen Victoria, and by her royal consort, Prince Albert, accompanied by your Excellency. We are convinced that this visit, so promptly and cordially made, has left an indelible impression upon the hearts of the poor of Ireland, for whose benefit our system has been established; and that they will ever regard the compliment as the most appropriate and decisive that could have been paid by her Majesty to themselves. All reflecting men, whether friends or opponents of our institution, have not failed to perceive the importance of the step. By the country at large it has been hailed as another eminent proof of her Majesty’s wisdom and goodness; and as peculiarly worthy of the daughter of that illustrious Prince who was the ardent advocate of

the education of the poor, when denounced by many as a dangerous novelty; and of their united education on just and comprehensive principle, when most men regarded it as impracticable.'

But the point where we have now arrived admonishes us, that it is time to return and relate the operation of those laws and administrative measures, which we left in the background while the public disturbances engaged our attention. Let us begin with that most important law upon which Irish pauperism now depends for relief.

Administration of the Poor Law.—The 28th of August, 1847, was a memorable day in Ireland. The extended Poor Law came into operation, the new Commission comprising the Chief-Secretary and Under-Secretary to the Lord-Lieutenant. In fact, the Commission was the Government,—a proof of the consequence attached to the working of the new law, and the determination of the Executive to carry it into effect with all the authority and all the vigour of Government. Never was a great and a necessary change of system introduced into any country under more adverse and perplexing circumstances. It formed, as we have said on a former occasion, the third stage in that astonishing series of transitions through which the relief of Irish destitution passed in somewhat less than a year. It was the sound and the permanent system, at length arrived at and established, after trial of the two immense and hazardous experiments of the Labour Rate Act and the Relief Commission. The former experiment had failed because it grossly violated economic principles; the latter succeeded as a measure of succour, but, in its success, it exhausted public charity, and demoralised the country to an extent the most alarming and deplorable. Fortunately the Poor Law introduced into Ireland in 1838 afforded the basis of an efficient and durable system. It was only necessary to enlarge it in proportion to the increase of destitution, and vary its provisions to meet the circumstances of the period. The act was passed in the month of June, after a dangerous opposition in the House of Lords, and a passionate resistance in both branches of the Legislature. Lord Clarendon may be said to have commenced his government with this great popular measure in his hand,—a Magna Charta of the Irish poor, for which, however, they were little indebted to their bold barons, or to any portion of the landed aristocracy.* The operation of the law was embarrassed

* The leading provisions of the Act were the following:—Outdoor relief was added to in-door relief; the conditions of the former were specified and limited; a large discretion was left to the Com-

in its first stages by premature complaints of its inefficacy, and even by proclamations of its failure, before it had had three months' trial. Among others who were over-hasty in condemning it were the Roman Catholic prelates, who addressed the viceroy in the month of October, and designated the enactment as 'a resource totally inadequate to the magnitude of the evil.' These prelates were not, like many other Irishmen at the period, unprepared to suggest a substitute for the Poor Law, for they added the following statement of their views :—

' In offering these remarks on the inefficiency of the Poor Law for the magnitude of the destitution that now prevails, your memorialists wish it to be understood, that they are not made from any conviction that its further extent or stringency would be an adequate remedy for the wants of the people. They look on such a legal provision for the poor as quite inadequate ; they discover in it evidence of the decay of the charitable spirit of former times, and of the grinding oppression of the poor that followed the destruction of those asylums in which were treasured, in trust for the indigent, the accumulations of piety, cheaply feeding the hungry, clothing the naked, educating the ignorant, and affording consolation under every infirmity that affects human nature.'

Upon this the Lord-lieutenant observed, with becoming modesty, and with a gravity which did him still more credit, that it was not for him 'to contest the judgment of their lordships with respect to the abolition of the asylums alluded to :' he added, however, that he himself had arrived at opposite conclusions 'after long residence in countries where similar establishments existed,' and, fully admitting the probability of a decay of voluntary charity, remarked, that this 'only made the argument for rendering it compulsory all the more stringent.' Then, with respect to the *pis aller* of the Poor Law, his Excellency intimated that a measure ought to be fairly tried before it is pronounced abortive, and concluded with a pledge (which has been fully redeemed), that the Poor Law should not fail for any want of vigilance and energy on the part of the Administration.

' The Legislature has deemed it expedient to render property more available than hitherto for the support of destitution. That the law

missioners to meet unforeseen or exceptional cases ; the boards of guardians were authorised and required to appoint medical officers and relieving officers ; the tests of destitution were increased by a provision that no occupier of more than a quarter of an acre of land should be entitled to relief in either form ; mendicancy and vagrancy were restrained by penalties ; and, lastly, the important power of dissolving boards of guardians for non-performance or neglect of their duties, was materially strengthened.

may prove inadequate for affording all the relief required in an emergency like the present, is but too probable; the extent, however, to which it will fall short has yet to be ascertained. No man who has resources of his own should have a legal claim to live upon those of others; upon none but the absolutely destitute should that right be conferred; and in order to ascertain the fact, to prevent fraud, and to protect the industrious against the indolent man, the test of the workhouse has in Ireland, as in England, been deemed indispensable. The workhouses, however, must not be over crowded; if they are full, more accommodation must be provided, or relief out of the workhouse must be given in the manner which the law prescribes; if the guardians are reluctant to enforce rates, if those who are able to pay them refuse to do so, a gross dereliction of duty is committed by both, but the non-application of the law does not prove its inadequacy. I can, however, assure your Lordships it shall not be left wholly dependent upon the capricious discretion of those who administer it, but that a close, and constant, and vigilant inspection will, as far as possible, secure the effectual carrying out of its provisions.'

Whether the law has succeeded or failed will best appear from a narrative of the proceedings under it and their results. It has now been in operation for three years. There has been time to confirm or to falsify predictions.

Keep one fact steadily in view, or you will have but a faint notion of the magnitude of the Commissioners' undertaking. In the course of that extraordinary year—that *annus mirabilis* in the annals of the poor—at two several periods above a third of the population of Ireland had depended for their lives upon public bounty. One individual out of every three in the community had endured the disgrace or enjoyed the privileges of pauperism. In the month of March 750,000 men were receiving wages from the Board of Works, representing the subsistence of at least 2,250,000 persons. Again, on the 3rd of the following July, in the administration of the Temporary Relief Act, 3,020,712 men, women, and children were fed by rations, like a ship's crew, or the widows of an alms-house; fed at their own doors, and even with cooked food, the Government not only catering, but cooking for that prodigious mass of genuine or fictitious destitution. Under no circumstances more adverse was it possible or imaginable that the operations under the new Poor Law could have been commenced. The only question is, whether the previous distress, or the previous relief, was the greater embarrassment; both were so enormous, so beyond all bounds and precedents.

The Boards of Guardians were now to be set in motion; to be instructed in the provisions and the spirit of the law; urged

to the performance of their numerous and novel duties, to the prompt and resolute collection of sufficient rates, the extension of workhouse accommodation, the appointment of effective relieving officers, the careful examination of claims, discrimination of cases, application of tests,—a multiplicity of functions requiring activity, impartiality, sagacity, conscientiousness, the habits of men of business, and the feelings of humanity, in subordination to sound discretion. Those are qualifications not very common under any meridian; they were not to be created by an official circular. Instead of wondering that the Commissioners found it necessary, early in their proceedings, to dissolve thirty-two Boards of Guardians, and substitute paid officers, let us rather concur with them in giving Ireland credit for the fact that in ninety-one unions, the large majority, the elective boards performed their severe duties in a most satisfactory manner, and justified the principle of self-government upon which they were constituted.*

In addition to the organisation and control of so great a number of boards, consisting of such various and not always the most harmonious or tractable materials, the system had to contend, at the outset, with the two serious difficulties of deficient workhouse accommodation and the excessive area of many of the unions.

One of the earliest measures of the Government, after Lord Clarendon's arrival in Ireland, was the Boundary Commission. It was issued 27th March, 1848, and had two objects; one being to reduce the size of unions, the other to reduce the area of rating, or the extent of electoral divisions. The former object was of particular importance in connexion with the relief of the poor. 'The diminution of the area of rating,' the Commissioners observe in their report, 'was, so far as payment of rates was concerned, a question of the rate-payer, a question of the rich, and only collaterally (as it bore on the employment of labour) a question of the poor; but a diminution of the union, *i. e.* providing houses of relief within convenient reach of every pauper, was directly a question of the poor, and only collaterally one of the rich, as tending to more economical administration.' The extent of many of the existing unions would have been fatal to the working of the new Poor Law. The chief inconveniences were succinctly enumerated in the official letter transmitting the Commission to the gentlemen appointed to execute it. They resemble very much the well-known disadvantages of an over-grown parish. In some cases

* Vide First Annual Report, May, 1848.

the extent and geographical conditions of the union were such as to render it impossible, or extremely difficult, for guardians and relieving officers to discharge the duties of inspection and scrutiny, or to attend the boards without serious interruptions of their other duties. The same circumstances would of course prevent the applicants for relief from putting in their claims, or subject them to great hardship in doing so. Such difficulties require no illustration; they were felt directly the law began to work, and the result was the inquiry under the Boundary Commissioners, which led to the recommendation of forty new unions, of which twenty-four have been already approved and constituted.*

* The Boundary Commission (at the head of which was Captain Larcom) concluded their laborious operations, and made their final Report to the Government on the 1st of August last. The following extract from that Report will illustrate the difficulty of the undertaking and its bearing upon the general improvement of the country :—

' In regard to unions, it was our wish that no part of the country should be more than seven or eight miles from its poor house ; and in regard to electoral divisions, that they should be of such size and such condition as to population and value, as might enable the proprietors, farmers, and inhabitants to employ their capital and labour with the greatest advantage to themselves and to the community. The combination of these desirable objects could in many cases be obtained only in a very limited degree, because every part of the country, every townland, varies in respect of them, while only those townlands which are contiguous can be joined in the same division. But if the perfect combination of these elementary conditions of area, population, and value, in the several divisions, could have been made theoretically equal, it was desirable also to place the lands of the same proprietors in the same electoral division, or to constitute a division, consisting of as few separate properties as possible, in order to create in proprietors a disposition to exert themselves to diminish the amount of relief required, as well as to give them the power of doing so. But in this we were met by the indefinite nature of the term "proprietor," as well as the very different size of estates. The owner in fee had frequently but a small interest in the land, while the interest of those who held leases under him varied through every gradation, from the perpetuity downwards to the ordinary lease of twenty-one years, or seven years, or less. Many townlands and many estates were corporate or church property, more were under the control of the Court of Chancery, and some were common lands. These were the general object of dread to all around them, and were frequently unable alone to support the poor who had been allowed to congregate upon them without means of employment ; such circumstances, together with the occasional intervention of

The deficiency of work-house accommodation may be judged by the additions that were made to it. In the beginning of July, 1847, when the Poor Law Commissioners issued their first circular to the boards of guardians, the work-houses contained 101,439 inmates of all descriptions. On the 1st of July, 1848, there was accommodation reported for upwards of 150,000. At the same period of the following year, it had been increased to 250,000.

The three annual Reports of the Commissioners, now before us, present us with continuous weekly classified returns for the whole of Ireland, of the average amount of in-door and out-door pauperism; the former from April 7. 1847, the latter from Feb. 5. 1848, and both brought down to the end of April, 1850. These returns give, also, the average weekly cost of maintenance, and the weekly rate of mortality, in the work-houses; so that they afford most of the data requisite for ascertaining how the law has worked generally, and for enabling us to compare the in-door and out-door systems and their results. With the help of some additional authentic information, we are enabled to bring the history down to a period six months later than the date of the last Report.

Beginning with in-door relief, we are immediately struck by the fact of its continual and almost steady increase from the period when the law first came into operation to the present date. The number of in-door paupers, on the 4th of Sept. 1847, was 75,376, from which it gradually rose to the *maximum* of 264,048, on the 22nd of June, 1850, — the only interruptions being temporary decreases during the months of July, August, and September, in each year; a season when, for obvious reasons, the population of workhouses undergoes perceptible diminution. The amount of in-door pauperism, in 1850, was lowest for the week ending the 28th of last September, when the number was 155,175, exceeding by nearly 15,000 the *minimum* of the year 1849, which was 140,266, on the 6th of October.*

mountain tracts and waste lands, made it impracticable that we should fix beforehand any very exact maximum, minimum, or average, either of size, population, or value, to guide us in the formation of electoral divisions. But we have not failed to keep in view the objects to be attained by such circumstances if it had been possible to fix them; viz., as before said, such size and condition as should, in each case, best conduce to the improvement of the country.'

The latest information before us gives 173,178 as the number of in-door paupers for the week ending Nov. 16. 1850, the number

The out-door relief ran a different course, increasing with greater rapidity and then diminishing in a manner still more remarkable. It advanced with gigantic strides until July 1. 1848, when the number relieved out of the workhouses amounted for the whole of Ireland to 833,889. From thence it fell to 199,600 in October of the same year. It rose again, in 1849, to a *maximum* of 784,367, on the 7th of July, from which date (with some fluctuations) the reduction has been astonishing; — the *maximum* for 1850 being only 141,077, in the month of June, since which period it has fallen so low as 2249, on the 19th of October. In the week ending the 16th of last November, the latest period of which we have an account, the total average number of persons receiving external relief in all the unions in Ireland was only 2523.

On the 1st of May, 1848, there were twenty-five unions which had not relieved a single external pauper; and there were thirty-five others, which had only deviated from the in-door system in the class of extreme cases, specified in the first section of the Poor Law Extension Act. In the ensuing year, there was an accession of ten to the number of unions working exclusively on the internal principle. On the 25th of May, 1850 (the date of the last annual report), there were fifty-eight unions without any out-door relief; and in the week ending 23d Nov. last, out of the 163 unions then existing, there were only 54 in which out-door relief was given,—and of that number there were 36, in which the number of paupers externally relieved did not amount to twenty persons.

To the great extent of work-house accommodation which had been provided, we are chiefly to attribute this striking result; but in that increase we see the force of the prevailing opinion against the administration of relief outside the walls of the institutions. The abundant harvest of 1849 contributed materially to facilitate the change from the objectionable to the more prudent and safer system. This symptom of improvement has been manifested even in some of the most distressed districts of the west. The extreme evils of pauperism are now scarcely visible, except in one dark spot on the face of Ireland: we allude to the unhappy county of Clare, and especially to the unions of Kilrush and Scariff. In the month of May last, there were 30,000 persons receiving out-door relief in Clare; nearly double the number of the persons so relieved in the whole province of Connaught.

being then on the increase, as usual at the close of the year. The number was 168,545 at the corresponding period of 1849.

The expense of maintenance has undergone the following reductions. At the close of 1846, the average weekly cost of the in-door relief of each pauper, was 2s. In April, 1847, it was still higher, 2s. 2d. In April, 1848, 1s. 6½d.; at the end of 1848, 1s. 4½d. In 1849 it was reduced, still further. From the autumn of 1849 to the present date, it has never exceeded 1s. 2d., exclusive of clothing. On the 10th of August last the total weekly cost of out-door relief for the whole of Ireland was 1,032*l.* 2s. 4d. At the end of August it was no more than 223*l.* 12s. 5d.; and from that date to the 16th of last November the average weekly expense has been under 80*l.*

Concurrently with the decrease in the cost of relief, and in the total number of persons receiving relief, the general sanitary state of the workhouses has exhibited a decided improvement. The series of weekly returns show, that in 1848-49, the ratio of mortality among the inmates rose from 3·4 *per mille* on the 7th October to 12·4 *per mille* on the 5th May; while in 1849-50 the ratio advanced from 3·5 to 6·1 on the 23d March last, since which date it has been on the decline.* The numbers of reported inquests, where death was alleged to have occurred from want of the necessaries of life, had diminished to the extent of one half in the period between July, 1849, and April, 1850, compared with the preceding twelve months.

The collection and expenditure of poor rates in Ireland for the years 1846, 1847, 1848, 1849, and 1850 has been as follows:—

Year ending			Collected.	Expended.
			£	£
September 29. 1846	-	-	359,870	350,667
September 29. 1847	-	-	585,507	717,713
September 29. 1848	-	-	1,559,248	1,732,597
September 29. 1849	-	-	1,648,337	2,177,651†
September 29. 1850	-	-	1,561,846	1,274,125

The collection in the year 1847-48 is remarkable, three times the amount in 1846-47; five times the amount of the collection 1845-46. A tax unknown in Ireland ten years before was levied

* Third Annual Report, p. 7.

† The excess of the expenditure over the sum collected for the year ending Sept. 29. 1849, amounted to 529,314*l.* Of this about 234,314*l.* was provided for by the Rate-in-aid, and 50,000*l.* by parliamentary grant, leaving 245,000*l.* for the increased liabilities of the unions.

in the year 1848 to the extent of one-ninth of the rateable property of the country, and that at a period of unprecedented depression and embarrassment. In the same year the expenditure had risen 150 per cent. above that of 1847, and 500 per cent. above the expenditure of 1846. The expenditure in 1848-49 exceeds that of 1847-48 by the large sum of 445,054*l.* The excess is chiefly attributable to the extension of in-door relief, the cost of temporary hospitals, and the provision of auxiliary workhouse accommodation, without which it would have been impossible to keep the out-door relief within moderate bounds.*

The actual reduction in the amount and cost of pauperism will appear the more surprising, if we only recur again for a moment to the enormous mass of destitution which the system had to deal with when its machinery was first put in motion. When we recollect that 3,020,712 persons were fed by the public on 3d July, 1847, and that even on the 12th September of that year (when the Relief Commissioners may be said to have handed the distress of the nation over to the Poor Law Commissioners), the ration-receiving multitude amounted to 505,984 mouths, the question may well arise, what has become of that prodigious host of dependents upon charity,--how has that mountain of misery melted away? St. Jarlath's would promptly reply, that we see in this result only evidence of the unresisted career of famine and pestilence; only demonstration of the guilty negligence of heartless Commissioners and an unfeeling Government. Mr. Mitchell (were he not abroad for the benefit of the public health) would point his finger at Lord Clarendon, ' Her Majesty's Butcher-General for Ireland;' but, in fact, without

* The following table exhibits a comparison of the year ending Sept. 29. 1849 with the year ending Sept. 29. 1850, with respect to collection and expenditure:—

	Collection.	Ordinary Expenses.			
		In-door Relief.	Out-door Relief.	Establishment.	Total.
		£	£	£	£
1849	1,648,337	797,294	679,604	700,753	2,177,651
1850	1,561,846	606,849	116,935	550,341	1,274,125
Decrease in 1850	86,491	190,445	562,669	150,341	903,526

shutting our eyes to the increased mortality necessarily incidental to seasons of scarcity and disease (maugre all that can be done either by public charity or private benevolence,) and without overlooking the effect of the emigration both to Great Britain and the Colonies and the United States, which has been going on from most parts of Ireland for the last few years, we are chiefly to remark, in the fact before us, the satisfactory working of the Poor Law itself; the efficiency of the tests that have been applied to destitution, by means of which it has been reduced to its true from its fraudulent dimensions, and the public consequently exonerated from a large amount of the burden wrongfully cast upon it under the previous temporary and experimental systems of relief. Many a lusty rogue, who in 1847 was spoon-fed in idleness by Sir John Burgoyne, is now applying his brawny shoulders to the spade. Many an able-bodied slut, who formerly received her rations almost out of Sir Thomas Redington's hand, is now reduced to the extremity of honestly working for her livelihood. All the slothful and wilful indigence, by which a scarcity so supplied, and a misery with so much of consolation, was regarded more as a blessing than a calamity, has been winnowed from the true destitution of the country, and condemned to industry by the same law from which genuine distress receives gratuitous relief.

We have a melancholy proof of the energy, the diligence, the devotion, with which the cause of humanity was served in the administration of this great *Λειτουργία*, to borrow a phrase from the Athenian polity. Nine inspectors of unions fell victims to disease; seven vice-guardians met the same fate, in the discharge of their duties: in their return of July, 1849, the Commissioners reported the deaths of no fewer than seventy work-house officers, including nine chaplains and eight members of the medical profession. It was a close and mortal combat with famine and pestilence. The same facts prove the intensity of the popular suffering, and the courageous humanity with which the duties of relief were discharged.

In those cases (of which there were several), where aversion to out-door relief was pushed to the length of inhumanity,—where, the work-houses being over-crowded and disease prevalent, the denial of such relief exposed the poor to the alternative of death by famine or death by pestilence,—the Commissioners exercised the powers vested in them, and either broke up the delinquent boards or cashiered the relieving officers. Such were the proofs given by the Commissioners of that callous indifference to the public sufferings, with which

demagogues, seditious journals, and even higher authorities, incessantly assailed them. The same calumnies were as industriously heaped upon the Government. ‘The clergy and people of Ireland feel,’ wrote the unscrupulous M‘Hale, on the 10th of April, 1848, ‘that the Queen’s viceroy, far from deserving praise for labouring to preserve the lives of her subjects, has exhibited the strangest incredulity as to the extent of the present famine, and the coldest indifference to the fate of thousands who are falling victims to its destructive career.’* And O’Higgins, Bishop of Ardagh, writing to the Catholic primate, observed:—‘I think, also, that Cardinal Franzoni should be informed that, under the name of legal right, the body of Irish landlords are literally starving the poor, and doing so without a single remonstrance from our Lord-lieutenant, or his employer, Lord John Russell.’ So that Lord Clarendon was in danger, at that period, of being reported to the Pope for his inhumanity to the poor and his misrule of Ireland.

But reasonable men will consider what has been done with reference to what it was possible to do: we are ever to bear in mind (what it is strange men should ever forget), that the blessings of plenty and health are not to be enjoyed in times of dearth and pestilence; that famine is famine, and disease disease, let charity be ever so charitable; that in those heavy visitations of Providence, man can do no more than palliate and assuage: he cannot reverse the decree, and ordain abundance in a time of scarcity, and health in a time of plague. We are also to recollect, what is seldom considered as it ought to be, that, in seasons of famine, the very distress has its mournful uses; for without the example of suffering, there would be no economy of resources, and no stimulus to exertion. Let us only ask ourselves the question, what would have been the effect upon the moral energies of the people of Ireland (too much disposed at all times to cast all their care upon Government), if, by some miraculous exploit of administration, they had been carried through those years of calamity, without any increase of their ordinary privations? Far more deplorable, in our judgment, would that demoralising effect have been, than the most harrowing tale of destitution which has yet been brought to the public ear, from the most afflicted corners of the island.

* Letter to Lord John Russell, where it was further affirmed that the Poor Law aggravated the distress, and where the Lord-lieutenant was further denounced as ‘a viceroy who has shown special sympathy with Presbyterians and Orangemen! ’

Faults, no doubt, have been committed, and the relief afforded may not have been equal, in all cases, to the means which the law placed at the disposal of its local administrators. But we are now reviewing a wide field of operations, passing judgment upon the whole working of a system both vast and new; and we are bound to say, that, perhaps, no operations of a character so arduous, upon a scale so great, of a nature so novel, with details so complicated and machinery so imperfect, in a country presenting such peculiar obstacles to economic arrangements and social improvements, were ever more ably performed, or brought to more successful issues. The great good accomplished may well atone for the little evil mixed with it; the broad salutary results may well cast a few unfortunate exceptions into the shade.

Among other gratifying symptoms of the improvement of the Irish character in several valuable qualities of the intellect, such as steadiness, method, perseverance, and forecast,—qualities in which that character has been commonly, and, we believe, correctly supposed defective,—it would be most unjust not to include the general effective administration, during the three last critical and trying years, of that most important part of the Poor-law system which is necessarily dependent upon local management and control. In this respect the Poor Law has been an education to the upper classes as well as a subsistence to the lower; but the lower classes have derived no inconsiderable moral benefits from it also. It arrested the progress of demoralisation, which was a stronger objection to the previous temporary measures than all the administrative and financial difficulties which beset them. It rescued the Irish poor from a pestilence more virulent than fever,—more malignant than cholera,—the vice and misery of habitual dependence for subsistence upon public or private succour. By a wise charity, the effects of an unwise charity have been prevented or counteracted, and a spirit of self-dependence and self-exertion has been kept alive in the country under circumstances most adverse to the cultivation of those hardy virtues.

It appears, then, as far as we are entitled to pronounce an opinion upon the experience of three years, that this important law has falsified the predictions of those who opposed its enactment. The property of Ireland has supported its poverty to an extent exceeding the expectations of the most sanguine. There has been a great, a substantial, a humane, and an economic relief. Pauperism has not increased, but diminished; and is in course of further diminution. The tests, upon the whole, have worked efficiently and satisfactorily; particularly the workhouse test.

It has not been found impossible, as it was foretold, to resist the tide of destitution pressing upon the provisions of out-door maintenance ; but it has been stemmed successfully, and (we have every reason to believe) to the permanent benefit of the poor themselves.

Reform of Husbandry. — From the history of relief we proceed by a natural transition to an account of the measures of improvement which accompanied it ; — themselves measures of relief also, but of that higher kind which proposes to remedy national distress by opening the springs of national prosperity. The remark which we have already made on the general industrial policy of Lord Clarendon's Government, applies with peculiar force to the subject of agricultural improvement. This was not a topic fancifully, optionally, or even discretionally selected by a government determined to do something for the permanent welfare of the country, and naturally pitching upon the reform of husbandry as a fertile theme of discourse, and a most proper object of encouragement. It was a great deal more than this. The cultivation of the soil was a topic not of choice, but necessity. In making it the subject of their earliest and latest care, their most diligent study, and liveliest solicitude, the Government did not travel out of its province, but the subject forced itself upon the province of Government. The force with which it pressed itself was not so much the unparalleled extent of distress and destitution as the cause of that distress, the calamity that produced it, the havoc of the old and customary subsistence of the people ; from which sprang the necessity of repairing that havoc by creating a new subsistence, which new subsistence was to be obtained, like the former, from the land, but only from the land cultivated by new rules of art, and with an energy and perseverance never before applied to it. The lazy and slovenly tillage that sufficed for the potato would no longer serve. The labour that resembled sloth, and the culture that was scarcely better than neglect, would no longer suffice to produce the necessary supplies. It was indispensable to speed the plough and the spade with safe encouragement and wise instruction, to educate the husbandman for his altered circumstances, to stimulate in the same direction the exertions of every class connected with the land ; in short, to concentrate the greatest possible amount of thought, skill, industry, research, science, spirit, enterprise, and enthusiasm upon the interests of Irish agriculture, so as to multiply its fruits and retrieve its character ; that their fertile soil should no more be a reproach to the people, and the just emblems of their condition a slattern Ceres and a Plenty with an empty horn.

To promote agriculture, which has been well named by a philosophic poet, ‘The Queen of Arts and Master-work of ‘Industry,’ was therefore a part, and a leading part, of the policy of the Government. The necessities of the period suddenly raised it to the position which it ought always to have occupied, as an object of administrative care and a branch of public instruction.

But safely to encourage enterprise and exertion is unquestionably one of the most difficult points of Government. In Ireland its difficulties are extreme. Whom to assist, and in what cases; to what extent; under what conditions and limitations; where to withhold aid, and when to withdraw it after it has been afforded; — all these are delicate matters, beyond what country gentlemen, who go up with addresses to viceroys and bawl for grants, have the faintest notion of. A government is frequently in this dilemma; if it come forward, private exertions flag or cease altogether; if it decline to act, an object of great importance is permitted to fall to the ground. Here then, as in most human affairs, a middle course must be taken; neither too tightly grasping the public purse, nor opening it too freely. Generosity should have a leaning to parsimony, and parsimony should not be incapable of warming into generosity. Governments should contribute so as to induce contributions from private sources — not to check them. They should lend only on the best devisable securities for repayment. They should give under protests against giving. Of all things, they should only aid those who aid themselves; in fact, they should aim at doing what Hercules would have done, if the carter, instead of sprawling and howling in the mire, had clapped his shoulders to the wheel, and put forth all his manhood to extricate his wain from the rut. And, even in aiding independent efforts, the aid should always be proportioned to the amount of the effort; it should watch it, follow it, and cease along with it. Upon these principles the Government of Ireland (necessarily to a great extent an administration of assistance and encouragement) appears to have been steadily conducted by the Earl of Clarendon, not without much sacrifice of popularity on many occasions, (for there is nothing so popular as largess,) but greatly to the permanent benefit of the country, which has profited a thousand times more by the development of its powers and by the formation of habits of self-reliance, than if the Viceroy had been Jupiter, and descended in showers of gold to court her favour.

There was no time now for the old and idle dispute for precedence between agriculture and manufactures. One plain

consideration disposed of that point. In the actual condition of Ireland, her agriculture is her manufacture; she is a manufacturing country of corn and cattle, possessing her raw material (corresponding with silk and cotton) in her soil; her machinery is the spade and the plough; her factories her fields; her artisans her husbandmen. ‘Although,’ observes Sir Robert Kane, in his valuable work on the ‘Industrial Resources of Ireland,’* ‘I have considered it of great importance to fix attention on the facilities which this country presents for prosecuting the various departments of mechanical and chemical manufacture, of which the essential circumstances and material have been described in the preceding chapters, I am far from being forgetful of the fact that the support of the great body of the people is, and must continue to be, derived from the soil; that the manufacture the most extensive and most indispensable is the production of food, and that agriculture is the most important of the various sources of industry which the country contains.’

This was true before the inscrutable blight of the potato. The calamities of late years have only made the truth more conspicuous, and the duty of attending to it more imperative than ever. What has been done, therefore, to turn adversity to ‘sweet uses,’ by improving the culture of the bountiful soil of Ireland; how far improvement has reached, what fruits it has already yielded, and what motives and principles are at work to stimulate further exertions in the same ample and neglected field, cannot be inquiries of trivial import.

The Landed Property Improvement Act. — Let us inquire, in the first place, what has been going on for the improvement of the soil by the operation of legislative measures. Here our attention will be chiefly directed to the Act for the Improvement of Landed Property, which was introduced along with the Poor Law, and intended as an ally to it, a function which it has most efficiently discharged. This measure accomplishes its objects by a system of loans which the Treasury is authorised to make to owners of land disposed to render it more productive by agricultural improvement. The fund for the purpose was originally 1,500,000*l.*, but 300,000*l.* was added to it by a subsequent statute, and a further issue of 200,000*l.* was sanctioned by an act of last session. The improvements, whether by draining, subsoiling, fencing, reclaiming, or making farm-roads, are executed by the proprietors; — the Government only interfering to ascertain

that the proposed works are likely, by their productiveness, to justify the cost being made a charge upon the property, and afterwards to secure, by inspection, the proper application of the sums advanced. No advance is made at all, unless the increased annual value to be given to the land improved equals the amount to be charged upon it. The local administration of the act is vested in the Commissioners of the Board of Works; and the Treasury, in its original instructions to the Board, directed them to give a preference to the western, or more distressed districts of the island, where it was so especially important to increase the produce of the soil and afford employment to the population. It is obvious, at a glance, that as a measure of relief, by the employment of labour, this system differs *toto cœlo* from that of the Labour Rate Act. This act does not employ paupers, but makes independent workmen of people who would probably be paupers but for the labour it affords. The works under it are of unquestionable utility; the guarantee for their proper execution is as perfect as it is practicable to make it; the borrower has the improvements on his property effected in the best manner; he cannot obtain his loan upon any other terms; the labourer is made a skilful workman; and the public money is advanced upon the best possible security.

We have now three Reports of the Commissioners before us. The last brings the history of their proceedings under this act down to the 31st December 1849, at which date there had been applications for loans to the extent of 3,501,776*l.*, of which 1,617,529*l.* had been approved by the Board, and sanctioned by the Treasury; and 788,238*l.* had been issued, in instalments, to applicants.*

On the 5th of April, 1849, the inspectors appointed by the Commissioners had reported an actual expenditure in drainage and other improvements of 295,717*l.*, and at the end of the same year an expenditure of 512,452*l.* The total number of acres which had been reported drained at the latter date, was 73,660; the average cost of their drainage being 4*l.* 10*s.* per acre. A great portion, too, of the drained land had been subsoiled; and the improvements also included a great extent of new fences, new farm-roads, and of rocky lands cleared of stones and prepared to receive the plough. By the statute of

* We have further information as to the amounts of applications and issues down to the 16th of November last. The applications at that date amounted to 3,807,437*l.*, of which 1,765,124*l.* had been approved and sanctioned, and 1,022,702*l.* had been issued.

last session, already referred to, loans may now be made for the erection of farm-buildings, a valuable extension of the powers in the former acts.

The average anticipated return from the expenditure on the improved lands was 8 per cent., $2\frac{1}{2}$ per cent. more than had been fixed as the minimum return, upon the assurance of which loans were to be made. At the close of their first Report, the Commissioners observe : —

' It should be borne in mind, that the sum to be expended amounts to 1,500,000*l.*, and the average anticipated return is 8*l.* per cent. If such be realised, and we entertain no doubt that it will, provided the works be executed as directed, the income of the country will be increased 120,000*l.* per annum, at an annual charge of 91,500*l.* for twenty-two years, after which it will be free; but this advantage, important though it be, is trifling when compared to the benefit which must result by showing the landlords the permanent improvement which a comparatively small investment will effect; and to both landlord and tenant the importance of thorough draining, as a preliminary to all improvements in agriculture, and to the obtaining early and certain crops of every description.*'

The inspection, though primarily designed to secure the proper expenditure and safe investment of the public money, has had the collateral advantage of being also a system of instruction in the principles and practice of land-improvement. In fact, the inspectors of the works under this act form a corps of practical instructors in the highest and most important operations of agriculture.†

In the first Report, the Commissioners could only lay down principles, and state their expectations. On the next occasion they spoke with more confidence; for the results were beginning to be visible to the eye, in the improved aspect of the country.

In April, 1849, the Commissioners made the following statement : —

* Sixteenth Report from the Board of Public Works in Ireland, p. 14. We have called it the first in the text, as it is their first Report of works under the Land Improvement Act.

† It is gratifying to find that, in the opinion of the Commissioners for executing the Landed Improvement Act, the works which were performed under Mr. Labouchere's celebrated letter (serious as the objections to the plan were in principle, as we noticed in our Article on the Crisis), far from being of no public value, proved most important as preliminaries to the operations under, 10 Vict. cap. 32. The Commissioners observe in their Report, July 8. 1848, that ' the Labouchere drainage works must be considered as not only valuable in themselves, but most important as a precursor to the Landed Property Improvement Act which followed.'

' In the humid climate of Ireland, the direct benefit derived from drained land is even more striking than in England ; and the neighbouring farmer, whose land is undrained and whose ditches are full of water, looks with wonder at late autumn or early spring ploughing, which he cannot attempt,— and still more at the double crops of corn, and more than double crops of turnips raised on land which, the previous year, exhibited the same neglected and unproductive character as his own. Adversity is a wholesome monitor : all now perceive that he who would thrive must abandon the ancient lazy and slovenly system, and, happily for the country, increasing energy and skill have become the order of the day ; and all persons who have travelled in Ireland during the present spring, will have noticed a marked improvement in the neatness and perfection of the tillage, and the unusually early period at which the crops have been sown, throughout the greater part of the country.'*

And in their last Report they say, —

' In making our Report on the progress of the works in operation under the Landed Property Improvement Act, during the year 1849, and the benefit which has resulted from these works, we have the pleasure to state, that the reports which have been received from our inspectors show, not only that the execution of the works has become more perfect, and at the same time more economically performed, but that a general increase is already observable, both in the quantity and quality of the produce from the lands which have been drained and subsoiled, whether it consist of cereal or green crop ; and in many cases the improvement has been so decided, that the neighbouring farmers have been induced, on their own account, both to drain and subsoil the lands in their occupation.'†

A glance at the annexed map (which has been reduced to suit our pages from the map given by the Commissioners in their last Report) will show how widely extended over Ireland are the advantages of this admirable measure. The country appears studded with improvements, dotted all over with the evidence of agricultural reformation. The knowledge of a measure so useful, and of results so important and encouraging, cannot be disseminated too widely.

We were about to make a series of quotations to show how the system has worked in augmenting the value of the lands improved under it ; but the very number of the instances at our command induces us to abandon the intention. Let one fact, to which the Commissioners themselves challenge attention, stand in the place of a hundred.

* Seventeenth Report, 1849, p. 6.

† Eighteenth Report, 1850, p. 4.

'The townland of Gortnaskeagh, in the county of Leitrim,
 'the estate of James White, Esq., and Lieutenant-colonel
 'J. J. White, which contains —

<i>a.</i>	<i>r.</i>	<i>p.</i>
175	1	33 of arable land
and	12	1 25 of bog;

'making altogether 187 3 18 was, previously to draining,
 'let in small tenements to a number of poor tenants for the
 'sum of 125*l.* 12*s.* 6*d.* per annum. The tenants were removed,
 'either by emigration or transference to other lands, and sub-
 'sequently the sum of 805*l.* 11*s.* 10*d.* was expended on im-
 'provements, the interest on which, at 6*l.* 10*s.* per cent. per
 'annum, amounts to 52*l.* 6*s.* 6*d.*; when the works were com-
 'pleted the lands were relet at a rent of 206*l.* 9*s.* 1*d.*, being an
 'increase on the original rent of 80*l.* 16*s.* 7*d.* per annum, or
 '10 per cent. on the outlay.' The smaller dots on the map are
 particularly deserving of attention, as evidence of the enterprise
 of small proprietors and farmers. The small loans appear to
 have been particularly remunerative and useful. 'The small
 'loans to proprietors,' says Mr. Poe, inspeector for Tipperary,
 'have been productive of much benefit; they have been gene-
 rally looked after by the applicants themselves, and the works
 'have been very well executed.' 'Small proprietors,' observes
 another inspeector, 'possessing a single townland, are anxious to
 'obtain loans. There is a great desire to improve manifested
 'by the small farmers. In fact I would say that the Landed
 'Improvement Act has acted like leaven on the agricultural
 'community of this district, and there seems to be a determina-
 'tion on the part of the tenant farmers to meet depressed prices
 'by an improved system of tillage, and more active and in-
 'dustrious habits.'

Here is an account of the good done by a loan of 200*l.* in the King's County on a small property belonging to a Mr. Andrews: — 'His lands which, two years ago, consisted of moor and swamp, are now growing turnips and rape, and one of the best oat crops seen in the neighbourhood was cut on a part which had been the resort of wildfowl.' These improvements have a manifest tendency, it must be acknowledged, to injure Ireland as a sporting country; and, indeed, we are distinctly informed that draining and subsoiling are becoming the favourite field-sports in several parts of the country — superseding fox-hunting and snipe-shooting. 'The effect of this act in directing the attention of proprietors to agricul-

'tural improvements is very remarkable,' says Mr. Prendergast, inspector of Mayo and Leitrim; 'every one connected with the district has observed the change of habits which has taken place among many of the leading sportsmen, who now vie with each other in attention to farming improvements.' Another report, speaking of another district, observes — 'A great social benefit has been derived from the loans in the change of habits induced among many proprietors, who formerly took but little interest in farming; among the most persevering and attentive improvers are now to be found gentlemen formerly well known as devoting much of their time to field-sports, who at first applied for loans on account of the pressing need of employing the people, and have now been personally occupied for two or three years in draining and farming, and continue to find an agreeable interest, as well as a profit, in the pursuit.'

That the conduct of all country gentlemen has not been equally good, is not very surprising. We are told of proprietors who, 'having obtained loans under the rules of the Board, which include dry stone fences, erected ornamental stone and mortar walls at a considerable cost.' This is an instance of that passion for expense and display, and preference of the showy to the substantial, which has had no small share in bringing many Irish landlords to bankruptcy and Baron Richards. Under such circumstances, the inspectors, very properly, have never allowed more than the amount contained in the original estimate for farm fences. But, for an example of a country gentleman who is doing his duty, or rather who has done his duty, take Sir Richard O'Donel. Mr. Elwood reports from the south of Mayo, that 'Sir Richard O'Donel, early commenced with energy, that he has now, after two years' exertion, nearly completed his improvements in the Newport district, and has commenced with equal vigour in the Island of Achill. He has already thorough drained 437 acres, cleared 559 acres, and constructed 52 miles of new fences.' How much more praiseworthy are Sir Richard O'Donel's operations in Achill, than those of the proselytizing parsons of whose proceedings in that island the public has heard so much. The conversion of waste into fertile lands is a much more unquestionable benefit to society than the conversion of Roman Catholics. 'Depend upon it,' said Lord Chesterfield, whose wise ambition, like Lord Clarendon's, was directed chiefly to industrial improvements, 'poverty is what you have to dread in Ireland, not popery.'

Of the effects of the measure in improving the habits and increasing the skill of the agricultural labourer, here are some examples:— ‘About 500 labourers have been constantly employed, who have throughout conducted themselves in the most orderly manner, and have executed the tasks assigned to them with perfect good will.’ (*Report on Works in Donegal on the Estate of the Earl of Leitrim.*) ‘The industrial educational knowledge acquired by the workmen, is every where beneficial; the example to the neighbourhood not less so.’ (*Report of Mr. W. Halliday, Inspector for Mayo.*) ‘I beg leave to observe that the labourers having become trained, the work has every where been well executed according to the specifications.’ (*Mr. Roberts, Inspector for Waterford.*) ‘I have been pleased to observe the improvement of the labourers under the system of task work, their increased steadiness and expertness in working, enabling them to earn much higher wages than those usually given for a day’s work in this part of the country.’ (*Mr. Meade, Inspector for County Cork.*)

The greatest importance is to be attached to the effects of which we are speaking. The measure is weaning the Irish peasantry from the old system of day-labour, which always engenders idleness, and is substituting piece or task-work, under which each man receives the just reward of his industry and exertion, being paid in proportion to the amount of work done. As an encouragement to the peasantry to seek a mode of employment so well calculated to improve them as workmen, the act contains an excellent provision, (the credit of which is due to the Duke of Wellington,) by which the labourers must receive the full amount of their earnings in current coin of the realm. This principle is strictly enforced by the Commissioners.

A new manufacture has already sprung up out of the impulse given to drainage operations, — the manufacture of tiles. In 1846 there were but two tileries in Ireland; in 1848 there were twenty-five; in 1849 there were forty-seven; and the last Report on the 30th March last, states that additional tileries have been erected, and that many new ones are in progress, while the number of tiles produced during the last year from existing tileries has been greatly increased, and the quality much improved. We regret to observe that the distribution of these factories over the country is not as equal as we could wish. Of the forty-seven erected in 1849, Ulster contained twenty-five, Leinster twelve, Munster only six, and Connaught

only four. The Commissioners particularly notice the pipes manufactured at the tileries erected by Lord Clonbrock in the County Rosecommon, and the Misses Gascoigne in the County Limerick.* We find the Misses Gascoigne again honourably mentioned in the report of Mr. Cox, Inspector of Drainage. The most extensive improvements in Limerick are in progress upon their estate; and we may add from our own knowledge, (what is not mentioned in the blue book,) that these patriotic and enterprising ladies do not think it unbecoming of their sex to superintend in person either the cultivation of their lands, or the improvement of the people upon them.

Upon the great mass of facts, to the same purport as the few we have here cited almost at random, the Commissioners make the following striking and impressive observations.

' It is remarkable that such striking results should have been obtained in almost every country in Ireland, during a period when extensive farmers and leaseholders hitherto considered wealthy, and who are in the occupation of extensive tracts of naturally fertile lands, have either surrendered them in despair, or are in process of laying them down in permanent pasture, in the expectation that sheep or cattle feeding will be more remunerative than tillage. No doubt we live in trying times, but the indolent man, and particularly the indolent agriculturist, must suffer before he bestirs himself; and as the suffering has already been ample, let us hope that the agriculturist will be enabled to overcome the difficulties by which he is surrounded, by the best and most salutary of all methods,—his own exertion. He complains of low prices, and deficient produce; let him drain and subsoil by the spade, and the return will be doubled, and frequently quadrupled. He is deficient in capital,—a loan under the Land Improvement Act will provide it. He alleges he is borne down by rates, particularly the poor's-rate,—let him employ the people in draining and subsoiling his land, and his rate will be light. In fact the provisions of the Land Improvement Act meet nearly every requirement necessary for the agricultural improvement of the country. We hear on all sides that it is impossible to support the present pauper population; but it should be borne in mind that the people have become paupers from failure of employment: and it is gratifying to know that where employment has been afforded them on useful works, their labour has been rendered productive; and that when employed by task, as is universally the case in the land improvement, as well as the arterial drainage, these *quasi mendicants* have become industrious, skilful, and thankful labourers; and it is to be observed

* The tiles made on the estate of the Earl of Enniskillen have been sent to Scotland, and considered equal, if not superior, to the best tiles of Scotch manufacture.]

that, including the attendant main drainage, every acre drained and subsoiled gives full employment to about 160 labourers for one day.'

The history of these operations encourages indeed the hope, that the day is not far remote, when the relief extended to poverty in Ireland by public charity will be trifling compared with that which will result from the expansion of her agricultural resources; when her chief poor rate will be the wages of labour, and instead of her pauperism crushing her property, her property will crush and extinguish her pauperism.

We said this act was ancillary to the Poor Law. It helps the rate-payers, by diminishing the burden upon the rates in every district where advantage is taken of it. There is, first, the employment afforded; secondly, the increased productivity of the soil; thirdly, the improvement of the agricultural population in skill, industry, and independent habits. All these are points in which the rate-payer is deeply concerned. To the owners of land the benefit is obvious and direct; the improved land is better able to support all charges upon it, so that the burden which the Poor Law imposes on the landlord the 'Land Improvement Act' assists him to bear.

The Government pressed the measure earnestly upon the country gentlemen; and when the mendicant squires came to the Castle, complaining of the pressure of the rates, and whining for absolute grants of money, the Lord-lieutenant inquired whether they had availed themselves of the advantages of the 'Landed Property Improvement Act:' he showed them the 'Poor Law' in one hand and this auxiliary measure in the other, and said, in effect, 'Gentlemen, here is the bane, and here is the antidote; either, as landlords, you must give your people employment, or, as rate-payers, you must provide them with food.' To a begging petition presented by the representative of a southern county, Sir William Somerville roundly replied, 'That the people must be permitted to gain a livelihood by employment or be supported out of the rates. The Lord-lieutenant perceives that there must be a struggle in this country with its difficulties, and will aid in overcoming them; but it is impossible they can be successfully met, without a combined effort on the part of all; and he trusts that, by a gentleman who, like yourself, possesses a just influence in the country, an example will be set which will be extensively and beneficially followed.'

The Royal Agricultural Improvement Society. — The Royal Agricultural Improvement Society of Ireland was one of the first institutions that attracted the attention of Lord Clarendon,

on his arrival in Dublin. The society presented him with a manly and judicious address, and his Excellency testified his sense of their usefulness by accepting the office of vice-president. The history of that body is briefly this. Its founder was an enterprising gentleman, named Purcell, who, so far back as the beginning of 1841, conceived the idea that the energies of his countrymen would be better employed in profitable agriculture than in fruitless agitation. Accordingly Mr. Purcell put his idea on paper, published it, and the result was a public meeting in Dublin, where the Duke of Leinster presided, and resolutions were passed which became the basis of the new Association. Earl Fortescue, then the viceroy, gave the undertaking all the benefit of his influence and enlightened approval, and obtained for the society the honour of the royal patronage. Mr. O'Connell, who was then agitating far different questions, and who, though fond of 'babbling of the green fields' of Ireland, never did anything to improve them, sneered at Mr. Purcell and his project; but consoled himself and his friends, by hoping that the Duke of Leinster and the rest would 'shortly ' agitate for something better than turnip-tops and red-nosed 'potatoes.' However, the Agricultural Association was organised, and although it has never received from the Irish nobility and gentry the efficient support it might reasonably expect from them, it has proved itself a most useful institution, particularly in the recent calamitous condition of the farming interest. Its objects and proceedings are similar to those of the Highland Society, and the Royal Agricultural Society of England. It holds annual shows and exhibitions, gives prizes and medals, disseminates useful knowledge in cheap tracts on all agricultural subjects and questions of rural economy, and (which is perhaps its most useful mode of operation) assists, encourages, and corresponds with the local farming Societies existing in different parts of the country. Among its more special objects we may mention the introduction and extension of green-crop husbandry, and especially the cultivation of the turnip,—a crop with which the name of Townsend* has not been more justly associated in England than the name of Purcell is now in Ireland.

* Lord Townsend, minister to George I. and George II., enjoys the reputation of having given the first great impulse in England to the introduction of turnips, of which he was himself a zealous cultivator.

'The other slights for women, sports, and wines,
All Townsend's turnips and all Grosvenor's mines.'

POPE. *Imitations of Horace.*

This Society has already held its annual exhibitions with great *éclat* in Dublin, Belfast, Limerick, Londonderry, Kilkenny, Ballinasloe, and twice at Cork, the second in that city having been held there last July; thus distributing impartially through the country the force of its influence and the spirit of its operations. The impulse which these great demonstrations have given to the most useful of all reforms and the most patriotic of all enterprises, is easier to imagine than to calculate. They are usually and becomingly accompanied, as in England and Scotland, with extraordinary festivities, with banquets and balls, which add to the public interest in the return of these great industrial anniversaries.

The Practical Instructors in Husbandry. — Upon this excellent Society the Lord-lieutenant engrafted the system of Practical Instructors. On the 23rd September, 1847, Lord Clarendon addressed a letter to the Duke of Leinster, in which, among other things, he observed:—

'I think it most useful to address your Grace in your capacity of President of the Royal Agricultural Society, as I believe it is through the numerous branches of that most useful institution that the agricultural classes can be reached; and as I consider the means of bettering the condition of the Irish people must, for a long time at least, be looked for in the improvement of the processes adopted in the cultivation of the soil. Between the termination of the harvest works of the present season and the commencement of the operations for the ensuing spring, there will intervene a period which, although in a proper course of husbandry fully occupied by its peculiar and important labours, may be considered, as agriculture is carried on, at least in the remoter parts of Ireland, to be of comparative inactivity; and I believe that advantage might be taken of the leisure which the farming classes will then have, to supply them, to a certain extent, with sound practical instruction as to the great and well-established principles upon which their operations should be based; and the means by which, in the ensuing season, they may be enabled to raise upon their farms the greatest possible quantity of food, and thus obtain for themselves increased pecuniary profit, and secure the State from a recurrence of the great calamities through which we have just passed. With this object, I would suggest to your Grace that a number of persons should be selected possessing sound practical knowledge of the most improved systems of agriculture applicable to Ireland, and of such general education as may enable them to communicate that information orally in a satisfactory manner; and that those persons should be employed to perform each a circuit through certain districts of Ireland, such as your Grace may decide upon, and to deliver lectures on practical agriculture for the farming population.'

The foundation of this system was no larger than a bank-note for 50*l.* To set his plan in motion, the Lord-lieutenant (having

calculated the expense of the first season at 300*l.*) offered to contribute 50*l.* himself, provided the residue was made up by others, and applied to the purpose proposed. We need scarcely observe that a larger subscription would have been vastly more popular, nor how the clamourers for grants despised and ridiculed Lord Clarendon and his 50*l.* The Agricultural Society, however, hastened to assure his Excellency of their gratitude for his suggestion, — an assurance which they followed up so promptly, that within two months a fund of 800*l.* was raised; and this fund increased rapidly in 1848, as the system became known to the public, and its advantages began to be felt.

A sum of 350*l.*, the unexpended balance of a fund which Lord Heytesbury had placed at the disposal of the Society for the encouragement of thorough draining, was now, with that nobleman's cheerful consent, applied to the object of Lord Clarendon's letter. A committee was immediately formed to select competent instructors and carry the plan efficiently into operation. The system was heartily at work in the month of November, 1847. The first detachment of instructors consisted of eight, who were sent into the most remote and distressed parts of the west, free of all expense, to the districts which were to profit by their services. The result of the first experiment gave the council the liveliest satisfaction. They published the Reports of their homely missionaries, expressed their pleasure at the reception they had generally met with in the country, and recorded their opinion, that no greater boon could be conferred upon Ireland than the establishment of a system so excellent, upon a permanent and extended basis.

Accordingly in the spring of the following year the system was expanded, not only by doubling the number of agricultural teachers despatched gratuitously to those parts of the island where husbandry was most backward and distress most severe; but by extending its benefits to other districts which were able to defray a portion of the cost of their own instruction. In the month of May, 1848, there were fourteen teachers of husbandry abroad in districts contributing a moiety of the expense; thus making thirty practical instructors, in all, at that time dispersed through Ireland. The country having now shown an alacrity to embrace the advantages presented to it; and this having been satisfactorily proved, not only by the general subscriptions, but by the local contributions of districts desirous of having instructors provided for them, Lord Clarendon, judging that the time was arrived when the liberal assistance of the Government might be afforded with propriety, reinforced the funds applicable to the purpose with the sum of 1000*l.* from moneys

at his disposal under the provisions of the 'Reproductive Loan Act.' In each of the following years his Excellency, with the sanction of the Treasury, placed the same large contribution at the command of the Agricultural Society for the advancement of the same object. The general subscriptions for 1847-48 exceeded 1000*l.* The sum subscribed by each of the fourteen contributing districts in 1848 was 25*l.* In 1849 there were fifteen such self-aiding localities, of which five contributed 45*l.* each. The year 1850 opened with the reappointment of twelve instructors to districts contributing to remunerate them, and ten to districts unable to pay for such assistance.

Through the masses of shade and gloom which then brooded over Ireland, the beginnings of this happy experiment appear like the brilliant points which are sometimes seen studding a sombre landscape, where the sun at intervals prevails against the mists and vapours. The published Reports of the plain intelligent men, by whose instrumentality the benefits of this incalculably useful system have been diffused over the face of Ireland, are eminently worthy of attention. The spirit of benevolent inquiry and timely advice and instruction penetrating wild and ill-cultivated tracts, insinuating itself into every mountain hollow, through bog and moor, along the shores of the ocean, and up the winding estuaries of the south and west, where seldom, until this recent effort of humanity, had the tenant of the wretched farm seen any form of friendship but the priest of the desolate chapel;—this spirit, we say, brought with it an amount and a diversity of relief, encouragement, support, and comfort, which is only to be known by the minutest study of the process and its results. We have perused this series of rustic narratives with the liveliest interest; but a few brief extracts from the most recent of them will best explain the nature and extent of the operations they record, and the success that has attended them.

Here is a brief account of the resources of Connemara, by Mr. Patrick O'Connor, practical instructor:—

'With regard to Connemara, I think it necessary to say a few words on it; so much attention having been turned to it, and so much having been said and written on it of late, that I cannot forbear giving my opinion, as a practical man, upon its capabilities. As a field for the safe and profitable investment of capital, none better exists, no matter what flying tourists, paper agriculturists, or any others may have said to the contrary. It possesses all the natural resources of a fine country; and all that is required to make it so is to introduce capital, industry, and knowledge, to have those resources properly developed. The soil is capable of producing the

different crops of superior quality: some of the finest specimens of green crops I ever saw were in Connemara. There is no extraordinary outlay wanted in producing them: sea-weed, coral sand, sea-moss, mud, &c., abound in inexhaustible quantities in all the bays and inlets. Limestone is found everywhere along the coast and in the interior. The climate also is superior; as an instance of its mildness it is enough to mention that sheep are shorn during all the winter months. It is notorious that the copper-mines and marble quarries are some of the best in Ireland. The quantity and quality of the fish off the coast are perhaps the first in the world; but unfortunately there is no person able to take advantage of these facilities.'

Mr. O'Connor thus describes the state in which he found that country in the spring of last year: —

'The greatest efforts are being made to crop the land; and even the most miserable are abandoning the idea of "relief," and striving to do something to help themselves. The system of green cropping is pretty well established amongst the small farmers: even in the neglected villages beyond the Twelve Pins I found them quite alive to the good to be derived from the turnip crop; in truth, were it not for the turnips during the winter, many would have starved, as in previous years: and since they have been consumed in some districts, the out-door relief lists have become crowded. I have not met one occupier of land who will not sow some green crop beside the potato.'

Mr. Hart, instructor at Westport, in county Mayo, writing on the 1st of last April, gives an account of the growing popularity of the turnip in his district; an account which agrees with the Reports from most other parts of Ireland: —

'Notwithstanding the extraordinary breadth of potatoes planted this season beyond that of former years, I have not conversed with a single tenant in my district who intends depending on them exclusively as a means of support, and who has not allotted a proportionate extent for turnips, which are certain to be sown.'

The same instructor, writing on the 4th of June last, has a still more gratifying story to tell of the effects of his teaching.

'In reporting the progress of tillage in this Union during the month of May, I beg to state the anxiety of the poor to sow turnips has surpassed my anticipation. Let all other crops succeed as they will, there is a permanent foundation laid for sowing turnips, which never will be dropped. I have to remark, in conclusion, that there is one parish in the interior of my district (Islandeady) where the largest half of tillage is allotted for turnips, the majority of which are the poorest people I ever met with in Ireland.'

It is amusing to find that at Ballinrobe, in the same county; though the farmers have advanced to turnips, they have not yet

been prevailed on to sow carrots or parsnips, which they modestly consider 'only fit for gentlemen.'

From Newtownlimavady Mr. George Brennan writes, on the 22d February, 1850: —

' In no part of the barony are the farmers so backward in their operations as here, which induced me to visit them a second time before leaving Dungiven. I prevailed on many of them to use the spade; showing them the best and most profitable mode of application; and again reminding them of the vast loss incurred by keeping a horse in their small holdings. This evening I addressed the farmers of Dungiven, and those of the neighbourhood, assembled in the Market House. Many influential gentlemen were present, principally landholders living in the town, together with the small farmers from the different properties lying about Dungiven. What gratified me most was the attendance of the schoolmasters of the district with their advanced pupils, the latter showing, by their hearing and attention, that they took as much interest in my discourse as their parents. I was kept, after my lecture, about an hour answering queries asked by the farmers relative to the proper crops to put in different soils, with other matters of importance for them to know.'

These instructors, it is to be remarked, have not only been eminently effective in enlightening the ignorance of the peasantry, but they have been of equal use in calling attention to circumstances in their condition which were but little known, and the knowledge of which has enabled their friends to do them most substantial services. While they taught the poor to assist themselves, they taught the rich how to succour the poor; they proved both missionaries of improvement and pioneers of charity. Of this we shall give a single remarkable instance.

In the year 1849 the attention of the Society was forcibly drawn by the practical instructors to the fact, that many distressed districts which they visited were not merely utterly ignorant of turnips and all sorts of green crops; but, when taught that such marvels existed in the stores of nature, and led to value and desire them, were so wildly and inaccessible situated, that, in the ordinary course of things, an ounce of good green-crop seed was as much beyond their reach as an ounce of gold-dust. No sooner was the grievance known (this genuine grievance of the industrious poor), than a remedy was devised and applied. The first step was to create a fund for the purchase of seeds. Accordingly a subscription was opened for this special purpose, to which her Majesty the Queen and Prince Albert contributed 50*l.*, the Central Relief Committee of Ireland 400*l.*, and there were also subscriptions from other quarters. This fund was laid out in the purchase of green-crop seeds, which were then distributed (by means of the practical instructors and the

local farming Societies or committees (especially appointed) to the districts requiring such aid, not gratuitously, but at about one half of the first cost, each committee being held responsible for the quantity of seed received by it. The greatest pains were taken in selecting seeds of the best description, to create that confidence in the cultivators, which is so important in the introduction of a system of tillage totally new. The results have been in the highest degree satisfactory. The proffered advantages have been seized with avidity, and the repayments required have been honestly and promptly made.

'It is worthy of remark,' says the council of the Agricultural Society (May 17. 1850), 'that the first proceeds from the sale of seeds has arrived from the poorest districts in Ireland; and the Council regard this not only as a proof that their efforts have been duly appreciated, but also as a sign of reaction, and a desire on the part of occupiers of land, by energy and self-reliance, to rescue themselves and their families from destitution.'

The cost of the seed that has been distributed under this system up to 1st of July, 1850, amounts to 856*l.* 2*s.* 10*d.* For about one half of this sum the twenty-four districts which received it were liable to the Society, and they have refunded the sum of 366*l.* 16*s.* 0*d.* When a repayment is made the sum is again laid out in seeds by the Society, which are sent down to the same district, upon its application, and charged at the same rate; so that the good done by a given sum of money is far beyond the actual quantity of seed purchasable with it in the first instance.

The Society for the Improvement of Flax. — Another Society which drew the attention of the Government, casting about in all directions to discover what institutions were efficiently working for the public good, and anxious to assist all who were so doing, was the Royal Society for the Improvement of the Growth of Flax in Ireland. This Society has been about nine years in existence, and the best criterion of its value is the fact, that Lord Clarendon, in 1848, thought it right, with the approval of the Treasury, to place 1000*l.* at its command; and again in 1849 made the same addition to its means of usefulness. At a meeting of the Royal Dublin Society, on the 16th April, 1850, the Lord-lieutenant strongly directed public attention to the many points of view, in which the cultivation of flax was deserving the most serious attention the Irish agriculturist can bestow upon it.

'There was one subject to which he attached great importance, because he felt assured it would bear an important influence on the

future prosperity of Ireland ; he meant the cultivation of flax. The climate and soil of Ireland were pre-eminently suited to the growth of flax ; and the competition of Irish with foreign flax was not a problem to be solved, because it had been already accomplished ; and it should be borne in mind that, although it had not for many years enjoyed legislative protection, yet it had been most successfully cultivated, and there was no crop yielded a better return to the farmer than flax. He believed there was no crop that offered so fair, or, he might almost say, so certain a prospect of a return as flax. This had already been found to be the case in Ulster, and he had every reason to believe that the soil and climate of the south and west of Ireland were even better suited to the cultivation of flax than the north. Some time ago he had occasion to refer to the Flax Society of Belfast for information on this subject, and he received from their able and intelligent secretary, Mr. M'Adam, a few facts which it might be desirable to read to the meeting.'

After reading passages from Mr. M'Adam's Report, his Excellency went on to say : —

' It was totally impossible to exaggerate the importance attached to the cultivation of flax in Ireland. The labouring population, male and female, would find employment at it ; and while, by profitable labour their condition would be elevated, the rates would be kept down. Exclusive of the manufacture of linen, the cultivation of flax presented another branch of manufacture in that of oil from the seed ; and it was well known that enormous sums of money were annually paid to foreign countries for flax seed, every shilling of which might be kept at home. The oil-cake was also of important use in the feeding and fattening of cattle. He thought it much to be regretted, that in an agricultural country like Ireland, a matter of so much importance should be so long lost sight of, and that they should be compelled to pay between four and five millions annually to foreign countries, for an article in which they might successfully compete, and even excel them, here at home, as well as export to other countries. From various circumstances there was reason to expect, that the sources from which they had hitherto obtained their supplies of the raw material of the staple of their English manufactures, namely cotton, might be greatly curtailed ; and, if such should be the case, it would have the effect of bringing linen fabrics, which were peculiarly an Irish manufacture, into the market for home consumption, to a much larger extent than heretofore.'

The Flax Society also has its corps of agricultural teachers spread over the island, — fellow-labourers, to a great extent, of the practical instructors organised under Lord Clarendon's auspices. Although an Ulster institution, it embraces all Ireland in its exertions and advantages. Out of the twenty-three counties of Leinster, Munster, and Connaught, its operations extend to twenty-one ; and in several of these the flax

culture has firmly taken root, particularly in Mayo, where, within the last four years, the extent of soil under flax has increased from 100 to 1400 acres. The annual sowing in Ulster averages 50,000 acres. For the rest of Ireland, it is only about 4000. Supposing each of the other provinces to cultivate flax as extensively as Ulster, Mr. M'Adam, the well-informed secretary of the society, calculates the value of the crop for all Ireland at 4,500,000*l.* What a field of enterprise, therefore, is open in this almost new branch of agriculture; what an unworked mine of national wealth. It appears that the soil of the central and southern parts of Ireland is better suited to the crop than the soil of the northern counties. Sir Robert Kane particularly instances the vast alluvial tracts along the banks of the Shannon, soils which, he remarks, 'afford a complete parallel to the districts of Belgium and ancient Egypt, countries celebrated both for the production of flax and the fabric of linen.' In fact, there is no more melancholy evidence of the past neglect of the industrial resources of Ireland, than the actual state of the cultivation of this crop, compared with the remarkable advantages and capabilities of the country for it. Until very recently, the Irish farmer, even in Ulster, wasted the seed which is now proved to be so profitable, that many farmers have gained by the seed alone as much as by a crop of oats or barley. There are several ways of disposing of it, all lucrative. The farmer may sow it, since home-saved seed has been shown to be as productive as any seed imported; he may sell it for sowing; he may manufacture it into oil-cake; or lastly, he may consume it on his farm in feeding his live stock,—a most profitable mode of fattening, and one which has been adopted with great advantage in other countries. Yet the northern farmer not only threw away this valuable seed, but he wasted two other valuable commodities, the water in which he steeped the plant, and the chaff of the plant after the operation of skutching. These materials, which (according to the best agricultural chemists) contain all that the crop takes out of the soil, and which consequently, when returned to it in the shape of manure, constitute the best restoratives of its vegetative powers, were turned to no account whatever, even in that part of the island which had actually obtained a celebrity from its success in flaxen husbandry and manufacture.

We need scarcely dwell upon the extent and variety of employment which flax affords to mechanical industry, exercising the labour and skill of the dresser, the spinner, the weaver, the bleacher, and the embroiderer. The Flax Society mentions with great approbation the recent establishment of a School of

Design in Belfast,—a circumstance calculated to give a further impulse to their already thriving manufacture. Similar schools have recently been erected in Cork and Dublin. The Dublin, or Central School of Design, founded by Lord Clarendon, has been in operation for little more than a year, but its prospects are very encouraging: it already counts an average attendance of 400 pupils, and the general statements of the first report to the Committee of the Privy Council for Trade are extremely satisfactory.

The poor Farmers.—Returning to our subject, the reformation of husbandry is no holiday undertaking, but one of the most difficult in which enlightened humanity can engage. The difficulties of agriculture itself are not so great as the difficulties of promoting agricultural improvement.

—————
‘Pater ipse colendi
Haud facilem esse viam voluit,’

if true of the art of husbandry, is still more true of the superior art of enlightening and educating the husbandman. Nor is there anything to astonish us in the difficulty of introducing innovations in the *rê rusticâ*, particularly among the poorer sort of farmers. An observation upon this subject, made the other day by the Duke of Argyle, at the dinner of the Highland Society, struck us forcibly. ‘After all,’ said his Grace, ‘what the farmers wanted was that which they all required,—an open mind, devoid of prejudice, which would refuse to try nothing because it was new, and would object to nothing because it required time and trouble. This was what the farmers wanted; this was what they all wanted in every science in the world.’ The last half-yearly Report of the Irish Agricultural Society bears strong testimony to the fact that the poor husbandmen of Ireland are at least as well disposed as others of their class to take advantage of such opportunities as are brought within their reach: —

‘In submitting the Practical Instructor system for the third year to the consideration of the Society, the Council feel fully convinced of its advantages; the more especially when based upon the system of local supervision, which at present exists, and connected with the supply and subsequent cultivation of such essential articles as green crop seeds in districts which were heretofore totally ignorant of their use. In concluding their observations upon this head, the Council may remark that *it has been in the very poorest districts of the country that the efforts of the Instructors have produced the most decided effect*: the small occupiers having been unable, from poverty, to repeat the exhausting process of sowing another grain crop, or to plant potatoes, last year received, as a boon, the green crop seeds

which were distributed gratuitously; and, being totally ignorant as to their cultivation, they followed the instructions given them. They have since learned the value of the crops produced by these seeds; and, in consequence, will cultivate them willingly and extensively this year. If the potato succeeds, the other root crops will be available for their legitimate object,—the feeding of animals: should the potato, however, again fail, the other crops will be the means of providing sustenance for thousands who might otherwise perish from want.'

The Reports of the Practical Instructors contain some few incidents disreputable to individuals: their accounts, however, in general, reflect credit upon all classes, upon many of the gentry, upon the clergy of all persuasions, but chiefly upon the small farmers, who appear on the whole to have embraced the opportunity of improvement offered to them with the most praiseworthy docility, intelligence, and gratitude. And it is only just to add, that the good opinion of the Irish peasantry which we have been led to form from their reception of the Practical Instructors, is confirmed by a variety of similar facts which we have found scattered up and down the numerous official Reports and other authentic documents to which we have referred for information on the actual state of Ireland.

At the same time it must be acknowledged that the Irish population presents various aspects, not only in various parts of the country, but in the same place at different times and in different circumstances,—making it difficult to pronounce with safety any general opinion as to their character or conduct. The Irish are a nation with as many colours of good and evil as the opal has hues: one knows not what to say of them; there is so much to be praised if you consider them in one point of view, and so much to be blamed if you survey them in another. No sooner do we begin to applaud than we feel called upon to condemn; and directly we commence railing at them some new light strikes us and we resume the dropped panegyric. So strangely do they falsify all general propositions and discomfit every theory. A nation of all humours and complexions, whether called from Mercury or Saturn, from Venus or Jove, their character is as hard to hit as that of woman. You are familiar with them in an hour, and in the dark about them at the close of a life. They seem at once the most stubborn and the most tractable of mankind; a bye-word for turbulence and a proverb for content; more cheerful in indigence than was ever any other nation at the summit of prosperity; with infinite resource and no resource; often perversely preferring grievance to redress; tolerant of real ills, maddened by fancied wrongs;

ferocious and good-natured; indolent at home, and industrious abroad; heroes with the bayonet and dastards with the spade,—dastards, however, for lack of discipline, not of spirit, for they have much of the stubborn stuff in them of which not only the good soldier but the good citizen is made.

The Roman Catholic Clergy.—We have mentioned the Roman Catholic clergy. It is extremely gratifying to learn how actively and cordially they have supported the cause of agricultural improvement. The names of near a hundred Roman Catholic priests and curates occur in the reports of the Practical Instructors as having cheerfully and strenuously co-operated with them. Not a few are noticed specially as being forward themselves in the same sphere of usefulness. We read of a Rev. Mr. M'Garry, in the county of Donegal, who had thorough-drained and subsoiled a large portion of his farm, to the perfect satisfaction of the Instructor. We are told of a Rev. Mr. O'Connell, of Kennmare, that he is ‘a good farmer’ and loses no opportunity of impressing upon his flock the ‘obvious advantage of an alteration in their present mode of ‘husbandry.’ At Dingle the Practical Instructor accompanied the Rev. Mr. Moriarty over a large farm which he had lately got possession of in the worst order; ‘but now, from the superior ‘manner in which he has reclaimed it, it will prove not ‘only profitable but something more. It is his intention to ‘make this a model farm, for an example in the locality.’ Of the Rev. Michael Conway, parish-priest of Bangor, in the county Mayo, we are informed that ‘his farm is conducted with ‘judgment and skill, and in speaking to the people he can ‘address them practically.’ Here we see the ministers of religion in what the circumstances of the country have made their proper place, cheering the march of improvement, leading civilisation by the hand. We could multiply the number of such instances.

The Landed Proprietors.—The Roman Catholic clergy are of course deeply interested in the prosperity of the agricultural classes, but so are men in the other stations of life, who act as if there was nothing which less concerned them. For example, is the Agricultural Society of Ireland supported by the nobility and gentry of the country as it ought to be? In the half-yearly Report of the Council, dated 26th November, 1846, we are informed that of the peers possessing estates in Ireland, there were no fewer than 120 who had never contributed to the funds of the Society. We are told further, that, there are only ‘the names of thirty-one of the members of Parliament for Ire-‘land on the list of its supporters;’ and that the same want of active co-operation exists among the landed proprietors in general.

We are also informed of some of the results of this almost incredible neglect of private interest, no less than of public duty. ‘The Society was unable to contribute to the support of the local Societies in proportion to its sense of their value and utility. In their endeavours to assist them they had exceeded the available funds at their disposal, and in proportion as they extended the encouragements and rewards they did not find themselves supported by those whose estates and tenantry were thereby benefited.’ The same complaints are repeated in every successive Report, down to the last that has been published.

Now these are statements, not taken from any speech by Mr. Roebuck, or from the agrarian essays of Mr. Mitchell, but from the Reports of a body chiefly composed of Irish landlords,—men who, being true themselves to their public duties, are well entitled to complain of the slothful and recreant members of their own order. The Report, in which it is stated that no fewer than 120 noble proprietors in Ireland have never contributed to the objects of the Royal Agricultural Society, is signed by the Earl of Clancarty, as chairman, and was adopted on the motion of his Grace the Duke of Leinster.

We promised, at the outset, to show, to the best of our ability, who were discharging their public duties in Ireland and who were neglecting them. That pledge we are now in part redeeming. The number of regular paying members of the Society in question has decreased since 1845 to the extent of upwards of 150; falling off just at the time when, in any other country on the face of the globe, there would have been displayed a double amount of activity and public spirit. The effective strength of the Society is not greater now than it was in 1843, two years after its establishment. The amount of yearly subscriptions, which in 1844 was 150*l.*, in 1849 was reduced to 107*l.* Compare with this — we do not say the Royal Agricultural Society of England — but the Highland Society, numbering, in 1849, 2880 members. There is something which passes comprehension in this stubborn and open-eyed neglect of their most obvious interest by so large a portion of the landed aristocracy of a country so essentially and necessarily dependent upon agriculture as Ireland. It cannot surely be derogatory to any rank, birth, or station to imitate Lord Clancarty, or tread in the steps of the illustrious head of the house of Fitzgerald. Of all human occupations, the most ancient, the most aristocratic, is Agriculture. ‘The antiquity,’ says Cowley, ‘of the husbandman’s art is certainly not to be contested by any other. ‘The three first men in the world were a gardener, a plough-

' man, and a grazier. Behold the primitive nobility of those great persons, who are too proud now, not only to till the ground, but almost to tread on it. We may talk what we will of lilies, and lions rampant, and spread eagles, in fields d'or or d'argent, but if heraldry were guided by reason, a plough in a field arable would be the most noble and ancient arms.'

National Agricultural Schools. — Meanwhile the system of National Education is contributing its powerful aid to advance this great cause. Thirteen Model Agricultural Schools, under that system, are at present in full operation, and the Commissioners have made building grants towards the erection of ten others. In addition to schools of this description, there exist thirty-four ordinary agricultural schools, now giving efficient instruction to the children of the peasantry. They are connected with the schools of general elementary instruction; and 'they have furnished satisfactory proof,' say the Commissioners, in their latest Report, 'that literary and agricultural education can be practically united without counteracting or encroaching upon each other.' In 1847 the Commissioners published an Agricultural Class Book for the use of their advanced pupils; and the excellence of this (as well as of very many other works prepared for the special use of the National Schools) has been shown by an extensive sale in England as well as Ireland. The Commissioners have also a model farm in the neighbourhood of Dublin, where, in 1849, thirty-four pupils and agricultural teachers were admitted. The pupils receive literary as well as agricultural instruction. The days are devoted to husbandry, the evenings to general mental improvement. The farm is provided with a library of select works on Agriculture. All the male teachers received into the central training establishment are required to attend the lectures of the head agricultural teacher, and to visit the model farm one day in each week, to witness its practical operations.

Whoever considers the extraordinary hold the system of the National Schools has taken of the opinions and affections of the Irish public*, will concur with us in attaching incalculable importance to the industrial direction which the Commissioners are

* A little volume entitled 'The Past and Future of Ireland indicated by its Educational History,' contains a valuable letter from Lord Monteagle (Sept. 1847) on Agricultural Instruction; and also a copy of the Course of Instruction prescribed for their schools of agriculture in the Queen's Colleges.

wisely giving to the working of the institution, — of which the assistance it is rendering to the cause of agriculture is but a single instance. Of the growing popularity of the system there cannot be conceived a proof more decisive than the fact that, in the years 1847, 1848, and 1849, the three most disastrous which Ireland ever witnessed, 1437 applications were received for aid to new schools, of which 910 were received into connexion; the number of schools actually opened rose from 3637 to 4321, and the number of children under instruction increased from 456,410 to 480,623.

Agricultural Statistics.— For the actual results of the impulse which has been given to agriculture, we must consult the official returns of the produce of the soil. From the return for 1849, lately published, we derive the welcome intelligence that the breadth of land under tillage continues to increase, and that the produce has been increasing also. The extent of soil under leguminous crops in 1849 exceeded that under the same crops in 1848 by 56,535 acres. In green crops of all kinds the increase was 16,687 acres. In each crop the increase was 2 per cent. upon the preceding year. Comparing the cultivation of turnips with that of potatoes, we find that while the breadth of soil planted with potatoes decreased to the extent of 86,841 acres, the cultivation of turnips increased by 69,024 acres; and that this increase was spread over every county in Ireland. The extent of flax cultivation in 1849 exceeded that in 1848 by 6451 acres. In live stock the variations have been as follows: — Of cattle of all denominations, there was an increase of 56,397 in 1849 compared with 1848. The reproduction of the national animal, whose numbers had been so miserably reduced during the years of famine, was very remarkable; the census of pigs for 1849 showing an increase of 136,202 above that for the preceding year. A diminution of the number of horses to the extent of 13,363 in the same interval is easily accounted for by the consolidation of farms and the impulse to spade industry. These results are important, not merely as evidences of positive improvement and growing wealth, but as securities against the recurrence of general destitution. With a diminished population, an increased fertility, and a varied produce, the Irish peasantry will no longer be absolutely defenceless as formerly, in an adverse season, or under any of the ‘distressful strokes’ to which nations are subject.

The sources of information from which these facts have been taken are themselves a novelty in Irish affairs well worthy of special remark. Previous to the administration of the Earl of Clarendon, the agricultural produce of Ireland was as much a

matter of conjecture as the rural opulence of the moon. Individuals speculated with more or less ingenuity and correctness, just as Arthur Young speculated in 1778, and Wakefield in 1812; but data there were none to satisfy an age so honourably distinguished as the present by a spirit of inquiry and a passion for facts. Lord Clarendon had noticed this defect while he presided over the Board of Trade, and had communicated with the late Lord Bessborough upon the subject. There were several circumstances at that period too obvious to be stated, which made it not a mere matter of curiosity, but a most serious political object, to possess the amplest and most authentic knowledge of the produce of the soil of Ireland. Accordingly, one of the earliest measures of Lord Clarendon's viceregency was to set on foot a system of agricultural registration; which is now so well established and so thoroughly organised, that we may assign it a place among the regular institutions of the country.

The value of such a system in an agricultural community is almost self-evident. It is based on the Ordnance Survey, and carried into effect through the agency of the constabulary force; 'a body,' says Captain Larcom ('by whom this difficult statistical undertaking has been conducted with consummate skill and with scientific ability of the first order), 'to whose admirable discipline and organisation it is due that the most general and extensive inquiry can be conducted in Ireland with as much precision and exactness as a model operation on the most limited scale.' The local or field inquiries are entrusted to this body, who are furnished with lists of the townlands in the several constabulary districts, and also with precise instructions and forms of returns prepared at head-quarters. These forms, when filled and returned, are subjected to very laborious processes in Dublin, in order to group the townlands anew into counties, unions, and electoral divisions; after which, the arithmetical operations of abstracting and totalling are to be performed. 'The magnitude of such a work, and the extreme care necessary to guard against errors, will easily be conceived. Captain Larcom observes, that the process of compilation, though simple in each part, 'required numerous modes of check, from the various transpositions and the great number of figures involved in them, the number of townlands being 60,760, with twenty-four facts relating to each, requiring more than four millions of figures in the course of their digestion.' The returns, as digested and tabulated, in the form in which they now lie before us, present an astonishing mass of details. We learn, by inspecting the tables, what breadth of land in every county, poor-law union, and electoral division throughout Ireland, was

occupied with cereal crops of all kinds, green crops of all kinds, with flax or with meadow, in each of the years 1847, 1848, and 1849.

But this was only one branch of the inquiry. The second branch, relating to quantity of produce, was prosecuted in a different manner, by means of queries issued, in a tabular form, to valuators, inspectors of drainage, and other persons professionally connected with the management of land, and possessed of agricultural knowledge and experience. Nor is this all; the returns also include a census of the live stock in all Ireland for the same years; horses, mules, asses, cattle, sheep, pigs, goats, and poultry; so that these tables are for each year, not only indications of the progress of husbandry, but inventories of the entire agricultural store of the country.

In the year 1848 we find these returns incidentally illustrating the unruly state of the country. The constabulary, engaged in watching or pursuing the disturbers of the public peace, were not so available as in 1847 for collecting the statistical information. This, however, in the greater part of Ireland only occasioned delay; but in Waterford and Tipperary it became necessary to abandon the design altogether. This is the solitary triumph Young Ireland has to boast; it was something to derange a calculation, since it was not so easy to upset a kingdom. The effect of the derangement is, that we are obliged to strike the two ill-behaved counties out of the returns for 1847 and 1849, in order to compare either of those years with the year 1848.

The state, of utter disorganisation and extreme debility, however, in which the disasters of 1846 and 1847 left Ireland, demanded a more radical change of system than could be effected by any of the measures we have hitherto discussed. Those disasters revealed not only the gross defects of the Irish system of farming, but the intrinsic rottenness of the entire fabric* of Irish landed property, and made it the imperious duty of the statesman to attempt its reconstruction upon sound principles. Unless some remedy could be found for the general dearth of capital applicable to agricultural improvements; some means devised to create a substantial, independent, and enter-

* In reading Mr. Bigslow's 'Jamaica in 1850,' where, among other causes of its decline, he treats of its incumbered estates and accumulations of land, it is impossible not to be reminded of Ireland. As the Irish famine only revealed the rottenness of the fabric of Irish landed property, so Mr. Bigslow supposes the Emancipation Act and the Sugar Duty Bill to have accelerated only, but not occasioned, the insolvency of Jamaica.

rising class of proprietors, in the room of those nominal owners of the soil, whose hopeless embarrassments incapacitated them for the discharge of their social and territorial duties, no general, solid, or lasting reformation was to be expected. The improvement of the majority of Irish estates was not more obstructed by a pauper tenantry than by a class of landlords who were nearly in the same deplorable condition. What was to be expected from men who were in truth only proprietors of deeds and parchments, whose only tangible property lay in the dusty boxes which incumbered the shelves of their lawyers, who were only connected with the soil by some family tradition, or through the medium of creditors and receivers; possessing station without influence, the pretensions of wealth with the embarrassments of poverty, the position of usefulness without the means, the hopes, the possibility of being useful? It was idle to preach the duties of property to such a class as this. It was unjust to hold up men to popular odium for the breach of obligations which they were powerless to discharge. What was to be done with them? How were they to be disposed of? Was it practicable, having regard to justice, to evict the pauper landlord? The process of eviction was going forward only too fast and too unscrupulously, at the other end of the scale.

Long had this evil been recognised as one of the most malignant symptoms of the case of Ireland; perhaps none of the unfortunate peculiarities of that country had been so frequently considered and discussed. How often has it been discussed in this journal? But it belonged to that class of public grievances, the very magnitude of which protects them from reform. Men gaze upon them as they do on mountains, and think them removable by a miracle alone. Probably, indeed, no combination of causes less formidable than that which rose out of the recent unparalleled calamities could have secured the success of a measure so vigorous as the Act for the Sale and Transfer of Incumbered Estates.

Incumbered Estates Bill.—We have spoken of the years under review as having been signalised by several great and memorable laws. The law now in question is eminently worthy of being so distinguished. Whether we regard the size and stubbornness of the abuse it grapples with, the vigour and originality of the machinery it employs, or the vast and almost incalculable importance of the social change which its operation promises to accomplish in Ireland, it may justly challenge comparison with the greatest achievements of modern legislation. The ability with which the act was framed, and the knowledge, the talent, and the spirit with which its policy and provisions

were recommended and sustained by Sir John Romilly, have added new celebrity to a name already illustrious in English history for its association with the triumphs of humanity and social progress.

The opposition which was offered to this measure on the part of the legal profession was not surprising. It sets the Courts of Equity aside, with all their bills and cross-bills, reports and references, prolixity and procrastination; superseding them by a tribunal at once cheap, expeditious, and efficient, in which the public is beginning to see, in this particular at least, the model of a rational and economic Chancery. A simple, short, inexpensive mode of selling and transferring land, is substituted for that tardy, tortuous, and ruinous course of procedure, which on both sides of the Channel still disgraces our civilisation, and makes men shudder at the mention of a Court of Equity. Thus far all parties concerned in a sale, whether as sellers, creditors, or purchasers, are equally benefited by the innovation. The extent to which the landed property of Ireland was involved in the trammels of law and equity, when the measure in question came to its rescue, may be conjectured from the fact that out of eighty-seven estates in which sales had taken place under the Commissioners, between the 21st February and the 1st August, 1850, there were only twelve in which proceedings for sales were not pending either in the Chancery or the Exchequer; and in fifty-four cases receivers had actually been appointed by one or other of those Courts. To purchasers the law offers a special advantage,—the greatest inducement, indeed, that can possibly be held out to a capitalist desirous of landed investment,—the advantage of a parliamentary title, impeachable by no jurisdiction, and valid in the face of the whole world; such a clear and indefeasible title as in the present complicated and discreditable state of the laws affecting real property, no court of justice in England can at present confer.

Let us now inquire into what has been done under this act, and see how often the public has availed itself of the extraordinary facilities it affords for the disencumbering of estates, and the transfer and acquisition of landed property. On the 25th October, 1849, the Court of Commissioners commenced its sittings for the despatch of business. Since that period to the beginning of August last (the date of the last return made to Parliament by the Commissioners), there were filed 1085 petitions of all kinds for the sale of lands, of which number 177 were presented by owners; a fact which sufficiently answers those opponents of the measure who charged it with

confiscation, and compared the Commission to an inquisition by Strafford. In the early stage of its operation the bulk of the petitions came from ineumbrancers, but as the advantages of the system became better known and understood, the proprietors began to evince their anxiety to participate in them. The law proceeds indeed with a most just and salutary discrimination. Genuine and solvent ownership is not disturbed by any of its provisions. It only affects the false position of the landlord who has no real dominion over the land. It separates the grain from the chaff, and gives to the wind none but the men of straw, the fugitives from their creditors, or persons merely protected from their creditors by a formal insolvency. It appears that in eighty-two cases (previous to the 1st August last) petitions had been presented against parties who had availed themselves of the benefit of insolvency, or against their assignees. The total rental of the property brought by the 1085 petitions above mentioned under the cognisance of the Commissioners, amounted to 665,470*l.* 18*s.* 7*d.*; and the gross amount of the incumbrances upon it, (taken from the statements of the petitioners,) to 12,400,348*l.* 6*s.* 1*d.** The petitions from owners disclosed ineumbrances to the extent of 3,028,556*l.* 13*s.* 10*d.*, and stated a total rental of 189,944*l.* 5*s.* 2*d.* In these facts we have decisive indications of the alacrity of both landlords and ineumbrancers to profit by the cheapness and expedition of the new tribunal.

We shall now see what effect the orders of the Commissioners have had upon the mass of property subjected to their jurisdiction. The first auction of land took place on the 21st February last. Since that date to the 1st of last August, there had been sales in 87 different estates. The total number of lots sold amounted to 257, an index of the extent to which masses of property have been broken up. Of thirteen of these lots the purchase-money did not exceed 200*l.* each, and of seventy-seven lots it did not exceed 1000*l.* each. The total acreage of lands which had changed proprietors amounted, in English statute measure, to 64,802*A.* 3*R.* 15*P.* The gross amount produced by the sales up to the 1st August last was 541,253*l.* 16*s.* 6*d.*†

* From further information before us, bringing the Report in some particulars down so late as the 30th November last, we are enabled to state that the total number of petitions then lodged was 1406. The gross rental of the property referred to in them was 860,698*l.* 14*s.* 7*d.*, and the gross total of the incumbrances 15,816,506*l.* 16*s.* 11*d.*

† On the 30th of November last the total produce of sales amounted to 1,053,555*l.* 12*s.* 10*d.* Of this sum there had been actually paid

Such are the results of this remarkable law, so far as its powers have been exercised; and to this extent we may safely affirm that the Commission has worked actively and efficiently, notwithstanding the confident statements of certain lawyers that it would not work at all; and it has equally belied the prophecies of certain proprietors, who foretold a glut in the land market, and a ruinous depreciation of the value of estates. While Mr. Stewart, a Chancery lawyer, was sarcastically inquiring what the Commissioners were doing, Mr. French, a Connaught landlord, was pathetically bewailing the reckless haste of their proceedings. Those conflicting charges may be left to demolish one another. The Commissioners appear to have used all the despatch consistent with the proper discharge of their duties; and there is not the slightest ground for believing that the property sold under their decrees has realised upon the whole less than its fair market value. The opposition to the Incumbered Estates Commission ran precisely the same course as the opposition to the Poor Law, proceeding, indeed, from the same quarter. As an effort was made to strangle the latter by a committee of inquiry before it was a statute six months old, so an attempt was made to defeat the former in the same early stage of its operations. A bill was introduced and passed in the House of Lords to bind the Commissioners to a minimum rate of fifteen years' purchase. The bill might as well have proposed a formal repeal of the act. It was accordingly scouted in the House of Commons without a division,—Sir John Romilly exposing the motives of its authors, and the misrepresentations upon which it was founded, with admirable force and perspicuity:—

‘ Now, he ventured to say, after the most careful examination of every particular case that had been mentioned, that no sale had as yet taken place at an undervalue. It had been repeatedly stated that one estate had been sold at one and a half year's purchase. On a former occasion he stated the circumstances connected with that sale, and intimated his conviction that it was a dear purchase. The circumstances which had

into the Bank of Ireland 729,547*l.* 9*s.* 6*d.* There were also then outstanding orders for liberty to lodge money to the extent of about 75,000*l.*; and there had been distributed by the Commissioners in cash 111,618*l.* 5*s.* 2*d.*, in consols 87,307*l.* 3*s.* 4*d.*, and in 3*½* stock 140,087*l.* 16*s.* 10*d.* The general *bonâ fide* character of the sales may be inferred from the fact, that creditors have been the purchasers to no greater extent than about 1-30th of the property disposed of. The sums allowed to purchasers who were also incumbrancers amounted to no more than 24,806*l.* 3*s.* 6*d.*

since occurred had verified that opinion ; for, upon the condition of paying the expenses connected with the sale, the purchaser had been allowed to get rid of it, and the estate had since been sold at a little less than two-thirds of the sum which he gave for it. When you talked of so many years' purchase, it was quite impossible, on the face of it, to know what was meant, whether the nominal rental or the actual value. A most prejudicial state of things had grown up in Ireland in this respect, which the present bill was eminently calculated to continue. No sooner did land present itself for lease than a host of tenants offered themselves, each outbidding the other, and all promising to give not only infinitely more than the land was worth, but infinitely more than they could ever pay ; the result of which system had been the extension and perpetuation of pauperism for the tenant class, and for other classes an altogether erroneous notion of the value of property in Ireland. In its immediate results this system had, no doubt, been advantageous to the landlords, for it had enabled them to borrow double the money upon land thus let at double the value ; but the double value was never realised, for the simple reason that it was utterly impossible for the tenant to pay it, and landlord and tenant had thus hanging over them liabilities which neither could at all meet out of the land purporting to be the security. . . . The large nominal rentals placed against the announcements of sales under the act were a positive evil as regarded these sales. He was prepared, upon the best information, to state that estates of the value of, say 1000*l.* per annum, and which were let for 1000*l.* a-year, produced as much as estates of the same real value, but which let for 2000*l.* per annum. Where, then, estates in Ireland were said to be sold for twenty years' purchase upon the rental set under the old system, the exceeding probability was, that the actual result of the sale had been forty years' purchase.* It is a strong corroboration of Sir

* In a case which came subsequently before the Commissioners, the following curious circumstances occurred. A purchaser of lands in Mayo applied to be discharged from his purchase, supporting his application by a variety of objections to the printed rental with which he had been furnished. Baron Richards inquired at how many years' purchase the lands were sold, and was answered, 'About nine months' purchase of the alleged rental, but that the sum amounted to many years' purchase on the actual value.' The accuracy of this statement was established; and Baron Richards observed, 'The owner should know that the rental was not what it ought to be, but of an erroneous

John Romilly's opinion, that the prices realised at the present moment are (as we have reason to believe) fully as good as those which were realised at first, when it could not have been anticipated that so great a mass of property would have been brought into the market.

Auxiliary Measures. — The Incumbered Estates Act had two valuable auxiliaries in an Act to amend the Law of Judgments, and another to amend the Laws for the Registration of Assurances of Lands in Ireland. Both acts tend to the same object, — the simplifying of titles and facilitating the transfer of landed property. The mischiefs which resulted from the previous state of the law respecting judgments were enormous. Charges, created with dangerous simplicity, burdened estates in the most general and indefinite manner. Nothing was easier than to encumber an estate, nothing so difficult as to part with it. A fatal facility of borrowing encouraged improvidence, multiplied interests, complicated titles, impeded transfer, prevented the breaking up of unwieldy estates into manageable and productive properties; and had the effect, moreover, of placing a large portion of the soil of the country in the hands of those functionaries called Receivers, whose name has passed into a proverb for waste and mismanagement. A step to improvement was made in the session of 1849, by an act which prohibited the assignment of future judgments, diminished the stringency of the previous law respecting judgments of a certain small amount, and laid down some just rules to check improper applications for Receivers. But an act of last session carried the reform to a considerably greater length. In future the charge created by a judgment will be special and temporary, instead of permanent and general, affecting certain specific lands named in a registered instrument and no others; a man will no longer be able to embarrass his neighbour's title by judgments, and the temptation to embarrass his own will be decreased. The gross injustice and inconvenience incident to the summary appointment of

' character, for which there was no warrant. Any fanciful sum
' might have been set down as that which the tenants were to pay
' as well as 3*l.* 5*s.* a year; or it might with as much reason have
' been stated that the tenants held any other quantity each as twelve
' acres. For some reason or other it was stated in the rental that
' Andrew Nolan held twelve acres at 3*l.* 5*s.* a year, and that several
' others held the same quantity at the same rent. But it was all
' fiction; there was no truth in it.' The decision of the Court was
that the purchaser should be released from his purchase and have his
costs against the party having the carriage of the proceedings.

Receivers is also, as to future charges, wholly taken away. With respect to existing judgments, there was not, of course, the same room for improvement; but the new law contains provisions by which the mischief caused by them will be lessened in some important respects. At any period the importance of these reforms would have been great; but they are now particularly opportune, coming into operation, as they do, in time to prevent the clear titles acquired under the Incumbered Estates Act from being darkened and complicated again.

The Act to amend Registration belongs to the same group of reforms; dry and technical in their details, but in their consequences deeply affecting the interests and promoting the welfare of society. The object proposed is to make the register for the future a perfect repertory of all the documentary evidence which may concern a purchaser of land; to make this evidence accessible by cheap and easy means; and to render registration and title less complex in future, by provisions concerning unregistered trusts and the notice of such trusts to purchasers. In framing the new system, advantage has been taken of the inquiries and recommendations of the Registration and Conveyancing Commission in England. Deeds themselves will henceforward be registered, instead of mere Memorials. Wills and other documents, hitherto excepted, will be subject to registration. An improved system of indexing, founded on the maps of the Ordnance Survey, is provided for, one result of which will be, that where no deed has been executed affecting a given property, the negative, which at present can only be ascertained by a tedious, uncertain, and expensive search, will be instantaneously and infallibly established. It seems, indeed, highly probable that the advantages resulting from the application of the Ordnance maps to this great purpose will of itself amply compensate the nation for the expense of that costly survey. Means will ultimately be afforded, when the proposed system has been fully developed, of readily ascertaining the rights which affect every portion of the surface of the country; and a foundation will thus be laid for all the improvement of which the law of real property is susceptible. The system awaits the completion of the indexes to come into operation. Much will, of course, depend, in the execution of such a work as this, upon the intelligence and efficiency of the officers employed to superintend the details and preliminary arrangements.

Tenant Right.—Connecting the ultimate effect of the 'Incumbered Estates Act' with the remarkable change which has been going forward for some years back with respect to the extent

of farms*,—and considering both in further connexion with the enormous impetus which has been given to husbandry, and with all the other altered circumstances in the condition of Ireland,—we behold a concurrence of ameliorating causes, from which, without being over sanguine, we may draw cheering inferences with regard to the future. But we are not to flatter ourselves that all the difficulties belonging to the distracting subject of Irish landed property have been surmounted. The relations of landlord and tenant still continue to perplex the reformer and discompose society. There is a great question here still to be settled; and, as if it were not in itself sufficiently embarrassing, those who affect to feel the deepest interest in it are practically doing their utmost to prevent its satisfactory solution. The Tenant-Right agitation tramples all rights but those of the tenant under its feet. It calls upon the legislature to remedy the alleged grievances of one class by doing another class the grossest injustice. A compulsory valuation of property,—a maximum of rent of land fixed by parliamentary authority,—the virtual transfer of the dominion and perpetuity from the landlord to the tenant,—such are the modest demands of this most unjust and most unwise movement. We know not what

* From the official 'Returns of Agricultural Produce' for 1849, we extract the following statement of the fluctuations which have taken place with respect to the size of farms since 1847. This is a subject to be watched with considerable anxiety. 'The classification according to the size of farms, which was introduced in the returns for 1848, has been continued in the present returns, and they at once bring under notice the alterations which have taken place in the division of land. The total decrease in the number of farms between 1847 and 1848 was 71,137. The decrease between 1848 and 1849 was 46,041. This smaller reduction would appear to indicate a pause in the process of consolidation of farms in progress in this country; but when the classes in which the reduction in 1849 has taken place are compared, the subject assumes, perhaps, an increased importance. In the cottier class the numbers were the same in 1849, in many counties, as they were in 1848; and in other counties the reduction was inconsiderable, the total reduction being only 2846, against 18,185 in the former year. In the next two classes, i. e., holders of farms from 1 to 5 acres, and from 5 to 15, the reduction had diminished in the first class from 24,147 in 1848, to 13,585 in 1849, and, in the second, from 28,379 in 1848, to 24,081 in 1849; but in the fourth class, i. e., holders from 15 to 30 acres, the decrement rose from 4274 in 1848, to 6984 in 1849. In the last class of farms, i. e., above 30 acres, the increase in the total number was 1455 in 1849, in 1848 it was 3670.'

would remain to constitute ownership, were such projects to be successful. We have heard of no injustice ever practised by the worst description of Irish landlords exceeding the injustice contemplated towards them by the authors of these revolutionary propositions. This unprincipled confederacy (which seems to consist chiefly of small shop-keepers in the provincial towns, inflamed by the editors of country newspapers, and led by a knot of turbulent priests and blustering presbyterian ministers) may be assured that nothing but defeat awaits their ill-directed efforts. The difficulty which exists, as far as it is capable of being resolved, is only to be resolved by law; and the law will not adjust it upon the principles of Jack Cade, but only upon the basis of a full recognition of the rights of the two parties. Some points appear to us to admit of equitable and beneficial arrangement. Violence, however, and unreasonable demands will only retard whatever solution may be practicable of a problem more complex and difficult than men who are heated by passion and blinded by self-interest are in a state to perceive. This question is just as little to be carried by the shouts of a mob, as the dismemberment of the British empire.

Extension of the Elective Franchise. — The time is singularly ill-chosen for an attempt to carry any public question by the method of irregular blustering warfare, called agitation, — a time, when the electoral privileges of Ireland have just received so liberal an extension, and the power of the people to accomplish all reasonable objects through the legitimate constitutional channels has been augmented in the same proportion. This leads us to the great alteration and improvement which an act of the last session effected in the political state of Ireland. Ireland has taken a stride in parliamentary reform far beyond the rest of the kingdom. The great measure of 1831 was not a more important enlargement of popular rights than the act we now speak of. The two monstrous evils of the former state of the law, — the dependence of franchise upon tenure, and the vexatious process of registration, which made the attainment of the right of suffrage as troublesome as a law-suit, — no longer disgrace the Irish representative system. The system established by the law of 1831 broke down under these two fatal defects. The Irish constituencies were on the verge of extinction (the total number of parliamentary electors for all Ireland amounting only to 72,000), when Sir William Somerville introduced what may be called the new Irish Reform Bill, establishing a franchise of the simplest nature, founded on rating to the poor, and containing within it the invaluable

elements of self-preservation and self-development. The proposition of the Government was, to annex the electoral qualification to an *8l.* rating in counties, and a *5l.* rating in cities and towns. These amounts were raised in the House of Lords, with the usual timidity or jealousy of that assembly; but even with the franchises ultimately settled, a *12l.* rating in rural and an *8l.* rating for civic constituencies, there will be no contemptible body of electors under the new law.* It is not, however, the immediate result which is so much to be considered, as the principle of growth which the constituent body will contain,—increasing with the prosperity of the country, capable of being augmented with the utmost simplicity by future legislation, and subject to none of the decay arising from the mode of registry, which will henceforward be the mere entry of the voter's name in the collector's rate-book. That the principles thus established in Ireland are those by which the progress of parliamentary reform in other parts of the kingdom must be regulated, is tolerably certain; nor is this the only instance where the English reformer will have to look to Ireland for models of amended laws and ameliorated institutions. Let us remark, likewise, the wise confidence in the bulk of the Irish people, manifested by the Government in framing and proposing this liberal measure; a confidence not shaken by occasional disorders, or the passing gusts of popular discontent. The policy is both generous and prudent, which frankly relies upon the general soundness of the public feeling and understanding; but surely a Government which pursues this policy ought to be trusted by the nation in return. There never was a moment when Irishmen were less excusable for hearkening to the counsels of demagogues, or seeking to effect their purposes by clamour.

Municipal Reforms.—In the same enlarged spirit, the Irish Government applied itself to another very difficult question, and brought it to a most successful issue. Repeated efforts had been made on the part of the corporation of Dublin, to obtain for itself that due amount of authority and influence in local affairs, without which a municipal corporation can exist for no useful purpose: but so completely had that body forfeited public

* By a return dated 28th May, 1850, to an order of the House of Lords, it appears that there were 227,500 tenements rated at *12l.* and upwards in the Irish counties, and 48,882 tenements in boroughs rated at *8l.* and upwards. This is the basis of the new constituency, making the necessary deductions for minors, women, &c. The previously existing franchises, not depending on occupation, were not disturbed.

esteem and confidence, that every attempt to increase its powers met with the most determined resistance from the citizens at large. The result was mischievous in the extreme. On the one hand, the public interests suffered grievously for want of a proper and efficient municipal control; while the corporators, on the other, having little or no lawful business to transact, had almost an excuse for occupying themselves with political debates and personal squabbles. In these circumstances the Government undertook to moderate between the contending parties, and to remodel the corporation so as to make it a safe and trustworthy depositary of substantial power. The series of measures passed for that purpose have recently come into operation; and the new municipal body, consisting (as it is allowed upon all sides that it does) of the legitimate representatives of the wealth, industry, and personal respectability of the Irish capital, does equal credit to the government by which it was organised and the burgesses by whom it was elected. The new town-council, upon their part, have done themselves no less honour by their judicious selection of a lord mayor for the present year,—having been influenced in their choice of Mr. Guinness (a member of the well-known mercantile firm of that name), by no other considerations than those of private worth and commercial eminence. The excellent example thus set by the leading corporation will not fail to operate beneficially upon the other municipal institutions in Ireland. There is more in such events than their mere local value: they are indications of improvement in the public understanding, and of the growth of a better political morality.

Law Reforms. — The legislation of last session has further claims upon the gratitude of the Irish public, for the improvements it has introduced into the administration of justice in the Superior Courts. Here, again, we experience the difficulty of extricating what is profoundly interesting to the community from a thicket of technicalities, and presenting it to our readers divested of professional jargon. But a measure like the Process and Practice Act (prepared and introduced by Sir John Romilly) cannot be overlooked in the most cursory survey of legal reforms. The principal grievance redressed by it, was one which was redressed in England fifteen years ago, having been found deeply injurious to trade, and intolerable in a mercantile community; namely, the mode of proceeding for the recovery of debts contracted in the course of commerce. It is sufficient to state, that so curiously contrived for the purposes of injustice was the system of writs, returns, notices, rules, services, appearances, and pleadings, that a defendant, without being particularly

litigious, might in the very outset of the proceedings evade the claims of a plaintiff (seeking the payment of a common book-debt, or the amount of a bill of exchange,) for a period of five months ; and if his attorney was subtle and inventive, he might, by the trick of a demurrer, or the artifice of a dilatory plea, protract much longer his resistance to the justest demand. The continuance of this system in Ireland, so long after it was abolished in England, proved a serious check to the commercial intercourse between the countries. There was a strong and a natural objection on the part of English merchants and manufacturers to opening accounts in Ireland, while the law remained in this preposterous and knavish condition ; and the loss and inconvenience that accrued to the mercantile interest, in both countries, may easily be imagined. Now all this is changed by the law in question. An action for the recovery of a debt is made one of the easiest imaginable processes. A simple summons directed to the defendant personally brings him into Court within eight days, whether in term or vacation ; and when the plaintiff has got his debtor there, he may take all necessary proceedings up to judgment and execution, with equal despatch. In the present critical state of Ireland, when it is of such vital moment to give every encouragement to her industry, and open every vent to her enterprise, a reform of this character is most opportune. To those who loved the law for the variety of its forms, the beauty of its fictions, or the venerable antiquity of its abuses, such an act will seem exceedingly objectionable. It establishes a dull uniformity of process in all the courts of law ; it substitutes unadorned averments of fact, for the daring inventions in which the fancies of the old lawyers rioted ; it sweeps away imaginary suits, with the ideal parties to them ; and degrades an ejectment from a spirited romance into the commonest piece of legal formality. But if these are improvements, so will the public also be apt to consider the equal distribution of business among the Superior Courts of law (a natural step after the assimilation of their practice), and the establishment of a perpetually-sitting *Nisi Prius* Court, to give full effect to the great principle of all law-reform, the interposition of the least possible delay between the claim of the suitor and the judicial decision upon it.

The important acts for abolishing the Equity jurisdiction of the Court of Exchequer, and for allowing suits in Chancery in all cases to be commenced by petition instead of by bill (with other provisions to cheapen and expedite justice in that court), we must be content only to name. But it would be unjust to dismiss this series of legal reformations, without acknowledging the excellent spirit with which the Irish Bar have acquiesced in

measures for the public benefit; although these measures, however beneficial to the public, must, when taken collectively, involve a considerable diminution of their professional emoluments. Some people will doubt whether the same amount of change could be introduced in England with so little opposition on the part of the profession: at all events, the Irish Bar have set an admirable example to their brethren on this side of the Channel.

Miscellaneous Improvements. — Nor can we do more than group together and describe in the fewest possible words a variety of humane and useful measures for which Ireland is indebted to the unwearied diligence of Sir William Somerville, and to his intimate acquaintance with her wants and interests. The public is too apt to overlook altogether that important field of public exertion, where the progress of the reformer is impeded by no factious opposition and marked by no party triumph. It is, therefore, the more incumbent upon us not altogether to neglect the class of measures, of which the following are only a few examples: — An act to amend the law of imprisonment for debt; an act for the protection and relief of the destitute poor evicted from their dwellings; another for the recovery of small sums due for wages, the hire of farm-horses, &c., by summary process, instead of by suit at Quarter Sessions, — the difficulties of which to the labouring poor often amounted to a total denial of justice: a valuable amendment of the law for the leasing of mines, tending to the development of the mining resources of Ireland; a measure which has proved most salutary and efficacious for the protection and improvement of the salmon and other inland fisheries; two acts to consolidate and amend the laws relating to the duties of justices of the peace, — in fact, extending to Ireland the beneficial provisions of the English acts upon the same subject prepared by the present Chief Justice of the Common Pleas, when Attorney-General; another act for converting into tenures in fee those perpetually renewable leasehold interests which were so common in Ireland, and which gave rise to constant litigation and infinite perplexity. Two bills of a political character, one to limit the duration of elections in Ireland to two days, the other to prohibit permanently those party processions and demonstrations which had so frequently led to tragic results, must close this short and imperfect summary of miscellaneous improvements.

General View of Symptoms of Progress. — Perhaps it was never of so much consequence as at this moment, to direct public attention to whatever signs of improvement are visible in the state of Ireland: for we believe there never was a period,

when so many causes and motives were combined to excite an interest in her welfare; and nothing can tend more to encourage that disposition in the public, than a conviction that her evils are not only not remediless, but that they have already in some measure yielded to the influence of wise and humane treatment. While her sufferings deeply move the philanthropist, her vast importance to the empire engages the profound solicitude of the statesman; and while thousands of humane and thinking men have their attention drawn thus strongly towards her, her splendid natural advantages and immense resources (above all, the unworked mine of wealth which she possesses in her neglected soil), are daily attracting more and more the cautious and shrewd eye of commercial speculation. To the latter, this attraction has been greatly increased by the recent invaluable reforms in the law; but it is plain the law would to little purpose offer purchasers the advantage of a secure and spotless title, and the gravitation of capital would be a slow process, if there could not be shown, in the general condition and prospects of the country, a moral guarantee for tranquil possession and prosperous enjoyment, — if there was not evidence upon the whole that great principles of improvement are at work, and that the country had shown in itself an aptitude to improve. It is not the absolute advance made, whether physical or moral, upon which so much stress is to be laid, as the general fact of a tendency to progress. In agriculture, for example, the question is not, in the first instance, what marshes have been drained, or how many quarters of oats the reclaimed acres have produced; but whether or not we are entitled to affirm that industry is gaining ground, that instruction is taking root, that the husbandman is expanding his views, correcting his mistakes, and profiting by experience. What we are concerned in is the direction of the movement,—and to ascertain whether it is onwards and upwards, in the paths that lead to order and civilisation. Let us see, then, what the phenomena are which Ireland at the present moment presents to our view; let us fancy ourselves disposed to unite our private fortunes with her destiny, and examine, with the scrutiny of self-interest, the various circumstances of her condition,—the lights and the shades, the sources of hope, anxiety, or alarm. Beginning with the things which are passing away, it is impossible not to perceive in the important social mutations which are now going forward in Ireland (attended, as many of them are, with a serious amount of human suffering), the removal of some of the most stubborn obstructions to the introduction of a better order of things. We deplore the evils attendant on such changes; but the

changes themselves we behold with satisfaction. The systems which are going to picces before our eyes, are none of those which humanity or wisdom will regret ;—the Cottier system, the Conacre system, the Driver system, the Receiver system, the Rockite system,—that complex, enormous, and abominable mass of abuses connected with the property, occupation, and tillage of the soil, which have long made the possession of land either an offence or a misfortune, a crime in the rich and a curse to the poor, fertile in strife and often bloodshed, — the systems which degraded farming into the laziest, basest, slovenliest, and hungriest of human employments, and the most fertile fields in Europe to the scandal of being those that yielded their inhabitants the vilest and most precarious sustenance ; the systems, in fine, which beggared the lord without bettering the tenant, and (reversing the poles of society) created a bankrupt aristocracy and a landed lazzerone. Such are the systems that are tumbling to the ground, not without the incidents of all great and sudden changes in society, whether the effect of physical calamities or of revolutionary fury — not without confusion — not without severe national struggles : but the confusion which necessarily precedes order must always be more hopeful than alarming ; and the struggles of a people at such periods have life and hope in them, not death and despair. They are the throes of a new birth—the pangs and the prophecies of public regeneration.

Let us next survey the steps of the reconstructive process. We have seen what an impetus has been given to industry ; how industrial enterprise has been stimulated by advice, encouragement, and example ; by education and by various institutions. We have shown, in particular, the admirable combination of measures brought by Lord Clarendon to bear upon the reform of agriculture ; how the Government and Legislature have united to raise up that prostrate interest, the prosperity of which is the prosperity of Ireland ; what has been done to make the Irish people of all classes conscious of their advantages — to awaken them to a sense of their neglected opportunities — to excite them to enterprise, and impart the knowledge and skill by which enterprise achieves its victories. We have shown, also, how this teaching has been received, and to what extent its spirit has impregnated the country ; that neither the lessons of wisdom nor the instructions of calamity have been thrown away ; but that a people, who have shown themselves strong to suffer, are beginning to show themselves equally strong to do. Mixed up with the afflicting evidences of destitution are to be seen over the entire face of Ireland the pleasing

symptoms of the popular battle with misfortune, and the scarce less gratifying proofs of the wise benevolence which has helped them in the struggle. The observant traveller in the most afflicted districts of Ireland beholds, with interest and surprise, the phenomena of indigence and improvement side by side. About the cabin of the neediest farmer some touch of neatness, about his meagre homestead some trace of order, a few cabbages supplanting the once triumphant thistle, or more frequently still a patch of turnips providently substituted for the false potato — proclaim the influence of the National School, or indicate the progress of the Practical Instructor. Here we see the rudiments of rustic improvement, which, combined with territorial changes (some already in progress, others to be expected from the legislative skill which has already been so successful with Irish difficulties), will constitute the material of a new peasantry, whose characteristics will be the opposite of sloth, nastiness, and hunger. With this reformation at the base of the national structure, we are to connect the change going forward towards the summit; promising a revolution, sooner or later, of equal importance in the circumstances and character of the landed proprietary. Thus the force of events, aided and directed by the lawgiver, is rebuilding the fabric of Irish society, casting the institutions of property in a new mould, creating a new people. These views can hardly fail to suggest themselves to any one who will take the trouble of connecting the various reforming agencies which are in action, observe their common tendencies, and try to appreciate their ultimate and combined effects.

Taking a moral survey of the country, we perceive some very encouraging circumstances interspersed with others of a different aspect. Political agitation seems to be extinct. The puny and abortive attempts occasionally made to revive the Repeal mania only prove the desperate character of the undertaking. Irishmen are thinking of substantial things, of food and clothing, of drainage and railways, and have no time and no taste to resume the chase of shadows. The very excitement which has replaced Repeal,—the tenant-right agitation,—(unjustifiable and wild as it is,) proves the practical direction which the popular mind is taking, where it is most inflamed; while the little progress which the agitators seem to be making, indicates a growing disposition in the Irish public towards moderate views and constitutional modes of advancing them. In most recent meetings and associations of Irishmen we have observed the same commendable tendencies. The calamities of the country have helped to produce this result, (famine is a matter so essentially

practical;) and the presence, example, and influence of an eminently practical Government have powerfully co-operated to diffuse the same spirit throughout the community. Party-spirit has abated perceptibly. The citizens of Dublin have set (as we have already remarked) the admirable example of regarding usefulness and respectability more than party considerations in the choice of members for their re-organised corporation; and the recent visit of Lord Clarendon to Ulster, and the cordial reception he met with from the people of that province, so soon after the unfortunate and exciting occurrences which ended in the dismissal from the magistracy of the most eminent and popular personage in the Orange body, afford the most decisive proof of the triumph of good sense and generous sentiment over the narrow and bitter feelings of party.

The state of the country with respect to crime is also satisfactory, exhibiting a most gratifying decrease, since 1847, of crime of a serious character, and a striking diminution of that particular species of offence for which Ireland has for ages enjoyed a disgraceful notoriety. It is to be observed that all the rural improvements which have been set on foot have a tendency to further this most important reformation; and as there was certainly nothing in the previous state of Ireland which prejudiced agriculture, and discouraged agricultural enterprise so much as agrarian outrage, the more importance is to be attached to any evidence of its tendency to subside. The results of the last summer assizes afford decisive proof of the state of general tranquillity, and freedom from offences of a grave or alarming nature, in which the Judges found the great majority of the Irish counties. Judge Jackson complimented the county of Limerick on the unprecedented lightness of the calendar: he said, 'it was a legitimate subject of congratulation, and argued well for the present condition of affairs in that part of Ireland. Prospects were before them of a happier state of things than they had for some time past experienced. In the city of Limerick, he believed, there was not a single case for trial; this was a perfectly maiden assizes.' In the calendar for the county of Kerry there was but one serious case. Chief-Justice Blackburne remarked the total absence from the great county of Cork of any general spirit of insubordination or resistance to the law. With the exception of the number of larcenies, there was nothing in the state of the calendar which called for an observation from him. To the grand jury of the South Riding of Tipperary, Serjeant Stock observed that, 'the calendar conveyed a most gratifying impression of the present state of their riding. The crimes were far from numerous and of a

'mitigated character. Unquestionably this was a symptom of progressive improvement.' Chief-Baron Pigot addressed the grand jury of the county Roscommon, and observed, 'that with one or two exceptions there was nothing to interfere with the general quiet of the county; from all the information he had been able to collect, there was almost a total absence of the offences coming under the head of agrarian crimes.' In Louth, Sligo, Meath, Monaghan, Carlow, and many other counties, the several judges of assize held nearly the same language; all remarking on the absence of turbulence, and on the decrease of crime both in amount and malignity. In Galway the judge contrasted the slenderness of the calendar with the extent and population of that great county; and Judge Moore expressed his astonishment to the gentlemen of the county of Antrim at the extraordinary lightness of the criminal business to be disposed of. There was a different state of things in Armagh, Leitrim, and one or two more counties; but the general aspect of Ireland, with respect to crime, was most gratifying.

Agitation against the Queen's Colleges. — Such are the auspicious circumstances in the condition of Ireland, which place us in the number of those who contemplate with more hope than fear the future that lies before her. There are circumstances, no doubt, of an opposite complexion — one or two murky spots which we cannot but watch with anxiety, although neither intimidated nor disheartened by them. To one of these we have already sufficiently adverted — the tenant-right movement. A more serious ground of uneasiness, however, is the agitation of the ultra-montane section of the Roman Catholic hierarchy against the Queen's Colleges. Suppose the crusade of these bishops to be successful, to what other issue can it lead but the universal interruption and defeat of public instruction in Ireland? Suppose their attempt to have any measure of success, in the same proportion must that vital cause suffer. Have these violent men (happily only a faction of their church) fully considered the fatal comprehensiveness of the principle upon which they have made their stand? Have they weighed its operation upon the National Schools in particular? Have they made up their minds to involve those institutions in the sweeping destruction, with which their new-fangled doctrine menaces all establishments in which the principle of united education is embodied? Are they prepared to shut the doors of 4000 schools of industry, order, virtue, and (we shall confidently add) religion, in the faces of half a million of children, mostly of their own persuasion? What substitute do these prelates propose? At what new springs are the children of the poor to drink, when

the fountains have been sealed at which they now slake their ardent thirst for education? Or is the war only levied against the National College, and is the battle to cease to rage when it reaches the National School? Well may such inconsistency be contemplated by men, who have already committed themselves to the most prodigious inconsistency ever witnessed in any controversy or human transaction. For if ever men were pledged to a public principle, the Roman Catholic hierarchy, as a body, were pledged to that of united education. They were pledged to it in every form by which it is possible for any set of men to testify their approval of a system and bind themselves to support it. Before a national school was built, the system of united education existed in the Dublin University and other literary institutions in Ireland; in the advantages of which the Roman Catholic youth participated, without the shadow of an objection having been started by a single priest or bishop of their church. When the National Schools were established, this principle was made their corner-stone; and it is matter of history that they were established, not only with the full concurrence, but at the express solicitation of the Romish prelacy and priesthood. A Roman Catholic Archbishop identified himself with the system, by becoming a Commissioner to superintend and advance it; and pernicious as that system is now declared to be—poisonous to morality, and subversive of the Roman Catholic faith,—the clergy of that persuasion have from that hour to the present abandoned their flocks to it in those seminaries without a scruple.

But why do we talk of the National Schools? These incomprehensible bishops were not more committed to these schools, than they were to the very colleges against which they are now bellowing. They fully adopted and embraced the system, when they treated with Government for certain modifications of it, and when the Government modified it to meet their views. The synod of 1850 is deprived of all authority and all character by the synod of 1845. In 1845 the Roman Catholic prelates of Ireland, at a meeting held in Dublin, were unanimous in giving credit to her Majesty's Government for their 'kind and generous intention' in proposing to extend the benefits of academical education; and with the same unanimity they presented a memorial to the Lord-lieutenant, in which they stated that they were disposed to co-operate, on fair and reasonable terms, with the Government and the Legislature in establishing a system having that object. The memorial then set forth what the terms were, upon which these unanimous prelates were prepared to afford their co-operation; a variety of amendments

were proposed in the measure which was then pending, with a view 'to secure the faith and morals of the students of the new colleges ;' and as all the amendments and securities suggested proceeded upon the expectation that the majority of the students would be Roman Catholics, it is impossible to conceive a more deliberate and formal assent than was then given by the unanimous Catholic hierarchy to the principle of united education. It is equally impossible to conceive a more solemn engagement than was made at the same time, by the same bishops, without a dissenting voice, to co-operate with the State in establishing the colleges, on condition of the amendments proposed being acceded to. Now let us see what their propositions were, and how far they were complied with. The unanimous prelates required 'that a fair proportion of the professors and office-bearers in the new colleges should be Catholics, whose moral conduct shall have been certified by their respective bishops.' They required that if any president, professor, or office-bearer shall be convicted of attempting to undermine the faith or injure the morals of any student, he shall be removed from his office by the Board. They demanded, moreover, that there shall be a Roman Catholic chaplain to superintend the moral and religious instruction of the Roman Catholic students belonging to each of the colleges; that the appointment of each chaplain shall be made by the bishop of the diocese in which the college is situate, and that the same bishop shall have authority to remove such chaplain from his situation. All these, being the most important securities required, were conceded in the amplest manner. Two points, indeed, were not agreed to by the Government. It was required that all the office-bearers in the colleges should be appointed by a Board of Trustees, of which the Roman Catholic prelates should be members. An arrangement more pregnant with discord cannot be imagined; in fact, the more fairly such a Board was constituted, the less smooth and harmonious must its proceedings become. It was also required that the chairs of Geology, Anatomy, History, and Metaphysics should be held exclusively by Roman Catholics. The very ground of this stipulation rendered agreement to it impossible; namely, the presumed danger to the Roman Catholic faith, in case of those chairs being filled by Protestant professors. It was evident that in a system of united education no security could be given to one religious persuasion, which might justly be considered by another as a corresponding exposure of its faith to danger. But if the Government declined to agree to proposals of this nature, inconsistent with the constitution of the colleges, they made the prelates ample

compensation, by granting them two controls, which were not included among the securities they required. One was the control of visitation: it was provided that the visitors of each college should always include the Roman Catholic bishop of the diocese and the archbishop of the province. The other, still more valuable, was the control over the residences of the students: the Roman Catholic bishops are empowered to insist upon separate and exclusive residences for the Roman Catholic students; the heads of such establishments are chosen by the bishop of the diocese, and the chaplains to them can only be appointed with his approval, and are removable at his will and pleasure.

Thus it appears upon evidence of the clearest nature, and proof the most abundant, that the Roman Catholic hierarchy, on the one part, having formally approved of the object of these institutions, and solemnly renewed their sanction to the great principle upon which they are founded; and the Government, upon the other, having not only granted every security for Catholic faith and morals required of them (not incompatible with the principle to which both parties were equally pledged), but, having themselves devised and enacted other regulations of the same nature, and even more efficacious than those which the prelates themselves insisted on,—thus, we say, it appears that a more deliberate contract was never entered into with the public by any body of men, than that which was made in Dublin in 1845, and violated at Thurles in 1850.

It was not until after the Roman Catholic hierarchy had been gratified with every devisable and imaginable guarantee against every danger, possible and impossible, which could directly or indirectly, ever so incidentally or contingently, affect their delicate faith and sensitive morality,—not until after a system of precautions had been devised and ordained such as no other clergy in the world ever insisted on, such as were never embodied before in the statutes of any academic body,—not until that moment did the light burst upon these egregious divines—did they make the grand discovery that no defences, no securities, no regulations, no human precautions could reconcile the system of united education with the pure religious nurture of Roman Catholic youth.

The triumph of an opposition such as this, so remarkable for the absence of reason, justice, consistency, and decorum,—an opposition offered to such a cause as education in a country where education is so prized and coveted as in Ireland,—we cannot bring ourselves to anticipate. The difference is immense between the resolutions of 1845, sanctioning the colleges by a unanimous vote, and the resolutions of the other day, condemn-

ing them by a divided sentence. To a unanimous decision of the heads of their church, though ever so preposterous, ever so irreconcilable with their former principles and conduct, we can conceive a devout laity prepared to bow; but we cannot imagine the same submission to a decree like this, which proceeds from a bare majority of a divided tribunal, beside its having every other quality to deprive an opinion of weight, or a resolution of authority. We shall expect to see the Roman Catholic laity in this instance vindicating their church from the reproach to which the Synod of Thurles has exposed her; defending the past conduct of their bishops against their present doctrines and pretensions. And they cannot defend that conduct more effectively than by supporting the Queen's Colleges, and insisting upon the enjoyment of the manifold advantages they afford.

It can hardly fail to strike the understanding of so acute a people as the Irish, that the Queen's Colleges are but higher and more expanded forms of the National Schools; that both institutions rest upon the same principles, breathe the same spirit, seek the same great objects, and have been wisely fenced against the same dangers with a degree of caution and foresight which no efforts of proselytising zeal can possibly elude. The abundance of security for faith and conscience cannot but strike them with prodigious force when they recollect that no such amount of protection, or anything like it, has ever been thought necessary in other educational institutions frequented by the Roman Catholic youth of Ireland. It will probably occur to them, for example, that neither Roman Catholic piety nor Roman Catholic morals can be exposed to serious risk in the College of Cork, — where every safeguard has been provided for them which the joint sagacities of their own hierarchy and of the Government have been able to devise, — when the same morals and piety were never considered in the slightest peril in the University of Dublin, where not only was no special security for them ever provided, but where there existed every facility for proselytism and every temptation to apostacy. These considerations will not fail to have the greatest practical weight with a people not more remarkable for their fidelity to their religious duties than eager to avail themselves of the opportunities of intellectual improvement. We entertain no doubt, but that they will practically decide this question in conformity with the decision which has been already come to upon it by all that is moderate, rational, patriotic, and consistent among the heads of their religion. Whether they consider the respect due to the opinions of their clergy, where those opinions are to be found most clearly delivered and solemnly recorded, or whether they consult

the welfare of their youth, to whom the advantages of the most solid and enlightened education to be had in Europe are freely and munificently offered, the people of Ireland will be equally led to embrace and support those truly national institutions.*

Thus much it was necessary to say upon this important question ; too important in its bearings upon the welfare of Ireland, and in connexion with still wider interests, to be discussed as fully as it requires in a paper not principally devoted to it. That any interruption of such a cause as public education should hang over Ireland, even as a threat, at a time when a union of all good principles and wholesome influencees is so ardently to be desired, and when everything malign and opposite was never more to be deprecated, we cannot lament too much. But we are not to indulge overweening expectations. We are not to expect that a work so great as the regeneration of Ireland will not be subject to occasional retardations, from either outbursts of turbulence or the freaks of fanaticism and folly. If upon the whole the progress is not hindered but only delayed, we shall have reason to be content.

There is still a word to be added before we conclude.

Among the points to which we referred at the beginning of this paper, as contributing to render the administration of the Earl of Clarendon a period more than usually memorable in Irish history, we did not include the circumstance that his name will possibly close the long list of the Lord-lieutenants of Ireland. The expediency of abolishing the Lord-lieutenancy is a doctrine which has been frequently advocated in this journal ; and the more the subject has been discussed, the more the views have been confirmed which we have always entertained. The objections to the vice-regal system are so palpable that they have only to be stated, to produce almost unanimity upon the subject ; the only points left for serious debate being the arrangements for conducting the Irish government, after its consolidation with the general government of the United Kingdom. It will suffice to state what appear to us to be the main arguments for this consolidation. In the first place, the office of Lord-lieutenant is an anomaly for which the reason and justification ceased, when the modern improvements in locomotion, both by sea and land, made the communication between London and

* It is gratifying to observe that at the entrance examinations held last October in the Cork College, there was an increase of eight Roman Catholic students admitted, compared with the admissions in October, 1849. The increase, indeed, was wholly among the Roman Catholics.

Dublin as easy and regular as that between London and York. Secondly, the separate form of government tends to divide the people of Ireland from the people of Great Britain, to keep up separate views, ideas, and sentiments, unfounded notions of an opposition of interests, mutual jealousy, ignorance, and estrangement. Thirdly, it involves a division of responsibility, a clashing of authorities, a confusion of jurisdictions, which impede the march of government, and tend to weaken and retard it, when vigour and promptitude are of the most consequence. Fourthly, the local government of Ireland tends more than any other cause we know of, to encourage that inveterate and fatal habit to which Irishmen of all classes and positions are so notoriously addicted,—the habit of leaning upon Government in all their difficulties, instead of depending upon their individual resources and relying upon themselves. Of this pernicious effect of the Lord-lieutenancy no Viceroy ever had larger experience than Lord Clarendon; though this is one of those cases in which, as we have already remarked, the personal character of the holder of the office may sometimes be remedial of its defects,—and certainly Lord Clarendon has omitted no opportunity to correct by sage advice and fearless remonstrance this, as well as many other Irish failings. We shall only mention one objection more; the peculiar exposure of the government of Ireland, seated at Dublin Castle, to the fury of demagogues and factious in periods of popular excitement. This last objection was strongly put by the Prime Minister in his speech introductory of the bill announced last session to abolish the Viceregency. To concur in the policy of that measure, is perfectly consistent with our sense of Lord Clarendon's services. A system of government of the most objectionable nature will often be productive of much good in the hands of an able minister, who will employ to the best advantage the means of usefulness it affords, and cover with his own talents and efficiency the intrinsic defects in the constitution of his office.

NOTE

*On Article entitled ‘Deaconesses or Protestant Sisterhoods,’
April, 1848.*

THE French Protestant Churches were described in the above article, as being universally favourable to these establishments. M. Agenor de Gasparin has recently called upon us to retract this statement. The following explanation seems due to the elevation of his character and the earnestness of his appeal.

At the date of the publication of that article, it was, we believe literally correct, that all the ministers of the two Established Protestant Churches of France, the Reformed and the Lutheran, with one single exception,—that of M. Coquerel, the representative of Rationalism,—were united in approving of the Deaconesses' Institute of Paris. Since its publication, has occurred that most heavy blow to the French Reformed Church, the secession of the Ultra-Evangelicals, with M. Frederic Morel at their head, and their founding of the 'Eglise Libre.' That the members of this Free Kirk are now in open hostility to the Deaconesses' Institute we are bound in sorrow to admit. Romanism, meantime, is advancing in that country with giant strides, and has obtained a more direct control over education than at any time within the last half century; while Protestants are quarrelling among themselves, and wasting in sectarian strife some of the noblest hearts in France.

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ART. I.—*England as it is; Political, Social, and Industrial, in the Middle of the Nineteenth Century.* By WILLIAM JOHNSTON, Barrister at Law. London: 1851.

THIS book is a somewhat undigested mass of valuable matter, interspersed occasionally with reflections of much interest, and observations of considerable originality. The author is unquestionably a man of talent; he writes with vigour and smartness; he has taken pains in the collection of most of his materials; and his statistics are arranged with great care, and managed with unusual skill. In this point he is much superior to his prototype and apparent master, Mr. Alison. But his range of topics is too wide to allow of his doing justice to any one of them, and his book is disfigured with an unwieldy series of quotations from blue books, newspapers, and reviews; from publications that never had authority, and publications that have long been superseded. An enumeration of the heads of some of his chapters will give an idea of the extent of ground which he careers over:—‘Population;’ ‘Occupations of the People;’ ‘Taxation, Revenue, Expenditure;’ ‘Theory of Progress;’ ‘Condition of the People;’ ‘Crime;’ ‘Manners, Conversation;’ ‘Rich and Poor;’ ‘Railways;’ ‘Sir Robert Peel;’ ‘The Press;’ ‘The Tenth of April;’ ‘The Church;’ ‘Solicitors and Attorneys;’ ‘Supply of London with Meat;’ ‘Drinking Habits;’ ‘The Poor Law;’ and many others. All these grave topics are disposed of in a positive off-hand manner, and in the tone we might expect from a man of lively and

inquiring mind, whose Tory predilections and protectionist opinions are often so one-sided as to show us as much of 'England as it is not,' as of 'England as it is.'

The book, on the whole, however, is decidedly readable, though, besides its discursiveness, it has two rather serious faults. If we except two or three chapters, the writer has no personal or practical knowledge of any of the subjects which he treats. The chapters devoted to law and the legal profession will be interesting to the unlearned, because there the author is comparatively *en pays de connaissance*; and from the same cause the chapters on Manners and Conversation are about the best in the book, because society—that is, London literary, legal, and political society—at least in one of its many-coloured aspects, appears to be familiar to him; not so life in the provinces and society among the middle classes. While, of the people—of the component parts of our social structure in detail; of the character, feelings, and position of the masses—he knows practically nothing, having looked at them through the medium of books alone. His source of information on these points is sometimes the 'Times' newspaper; sometimes an obscure pamphlet; sometimes a party review; sometimes a blue book. He speaks as a barrister from his brief, who makes the most of the materials furnished to him, but who has never come into personal communication with his client, or seen the premises or machine on which he descants so fluently to the jury.

The second great fault of the book is the absence of any distinct purpose or object. It is not easy to understand why the author should have been at the pains of writing it, unless with the view (which he seems to have entertained at the beginning) of giving a general picture of England to some foreign friend. For this, however, the work would be at once redundant and imperfect. For any more definite aim it is decidedly defective. The want of a back-bone—of a central idea, to connect and bind together the miscellaneous matter of which the book consists—of some clear principle or set of opinions to be illustrated and enforced—of some distinct object to be achieved,—is strongly felt by the reader as he goes on; and we wonder it did not manifest itself to the writer likewise.

As far, however, as any one prevailing idea can be detected in the book, it is that England is going to the dogs: as far as any distinct purpose can be traced, it is to prove our national peril and retrogression. It would be unjust to class 'England as it is,' with the absurd and malignant work of Ledru Rollin ('La Décadence de l'Angleterre'); but there are some undeniable resemblances between them. Both authors are disposed

to paint English society *en noir*, to think that our imperial star is on the wane, that our national maturity is past, and that old age and decrepitude are at hand. It is natural that a foreigner of virulent passions and disappointed ambition, an exile and a fugitive, should thus gloat over the fancied ruin of a rival nation, even while he owes to its generous and powerful hospitality his security from the vengeance of his own countrymen: it is, perhaps, natural also that an English politician, seriously attached to the party so long dominant, and so recently and signally defeated, should distrust the success and dread the consequences of a course of policy which he has all his life conscientiously opposed, and that he should be seen mistaking the discomfiture of his party for the ruin of his country; but we were scarcely prepared for the easy indifference with which Mr. Johnston enumerates the symptoms of our national decay, and the quiet complacency with which he accepts our decline as a settled historical fact. For ourselves, we have better trust and stronger faith; we believe that we flourished and advanced under Tory ministers and a restrictive tariff; and we are not without hopes that we shall continue to flourish and advance even under a Whig Government and a free commercial policy. And since we entirely disagree with Mr. Johnston as to the decay, both actual and prospective, of Great Britain, we propose to join issue with him on this, the prominent conception of his book.

His idea concerning our national prospects and condition may be gathered from the following laboured prophecy which he quotes from Mr. Alison, and seems to adopt in its entireness:—

‘A survey of the fate of all the great empires of antiquity, and a consideration of the close resemblance which the vices and passions by which they were distinguished at the commencement of their decline bear to those by which we are agitated, leads (?) to the melancholy conclusion that we are fast approaching, if we have not already attained, the utmost limit of our greatness; and that a long decay is destined to precede the fall of the British empire. During that period our population will remain stationary or recede; our courage will, perhaps, abate; our wealth will certainly diminish; our ascendancy will disappear; and at length the queen of the waves will sink into an eternal, though not forgotten, slumber. It is more likely than that these islands will ever contain human beings for whom sustenance cannot be obtained, that its fields will return, in the revolutions of society, to their pristine desolation, and the forest resume its wonted domain, and savage animals regain their long lost habitations; that a few fishermen will spread their nets on the ruins of Plymouth, and the beaver construct his little dwelling under the arches of Waterloo Bridge; the towers of York arise in dark magnificence amid an aged forest, and the red deer sport in savage independence round the Athenian pillars of the Scottish metropolis.’

The warning symptoms of this impending desolation Mr. Johnston traces in the deteriorating material position of our working classes; in the decay of friendly intercourse between them and their superiors; in the increase of crime; in the excessive toil and struggle for existence everywhere manifest around us; in the scoffing and frivolous tone of society: and in the dwarfed and degraded spirit of our statesmanship;—signs and menaces which, if their existence could be clearly proved, would go far to justify his gloomiest and worst surmises. In most of these points, however, we differ with him as to fact; in some as to causes; in others as to the inference to be drawn from them. Let us take them in succession.

First, as to the *Physical Condition of the Masses*. — Mr. Johnston quotes largely from a pamphlet by Dr. Kay, published *twenty years ago*, describing the unpaved streets and unhealthy dwellings of the poor in many parts of Manchester, at a time when sanatory arrangements had not yet commanded that degree of public attention which they have now received; from a report by Mr. Symons, published *fifteen years ago*, depicting a similar state of things in Glasgow; from a statistical inquiry about the same date, showing that 35,000 of the population of Liverpool lived in cellars, *which have since been prohibited as dwellings* by Act of Parliament most injudiciously; and after adding a few similar testimonies, he proceeds,—

‘ From all this evidence I conclude that, as regards the great mass of the people, there is no reason for congratulation upon the progress of wealth, virtue, or happiness. The mercantile middle class become opulent through the use of cheap substitutes for labour, but the labourers sink in the scale of social existence. In the acquisition of wealth the nation has made great progress, but in that distribution of it which seems best calculated to impart moderate comfort on the one hand, and to abate the pomp of superior position and the insolence of riches on the other, the science of modern times is at fault, while the selfishness connected with it revels, for the present, in unabated triumph.’

In another place he says:—

‘ We regard with admiring wonder the inventions of science, and our respect for human ingenuity is vastly increased; but when we inquire how far the use of them has benefited the great mass of the people, we are compelled to dismiss all sense of triumph in their achievements. . . . It seems to me that there can be no doubt of the total failure of the working class to accomplish any advance at all. . . . I do not find it specifically denied by any class of politicians that since 1819 the rich have been growing richer and the poor more poor.’

Now all these statements we hold to be utterly untrue. Mr. Johnston has fallen into the common error of writers who treat of subjects of which they have not enough personal cognisance to enable them to read with judgment and diseriuination. There is evidence enough — that is, printed assertions — always to be found in favour of every theory and every opinion ; and an advocate therefore who merely pleads from his brief, is at the mercy of the particular set of documents which may chance to be put into his hands, since he has no independent knowledge in virtue of which he can decide upon their value. He may form a perfectly honest and a perfectly sound judgment as far as the data before him are concerned ; but unless these data contain all that is required for the formation of a just opinion, or unless his own acquaintance with the ease can supply the deficiency of the documentary evidence supplied him, he may be led into the strangest fallacies, and his decision may be utterly worthless. From Mr. Busfield Ferrand's harangues, from Mr. Sadler's Committee, and even from Lord Ashley's speeches, Mr. Johnston might derive, by the strictest and fairest process of deduction, notions upon the wretchedness and sickness of the factory population, which a walk through a cotton mill, a conversation with an operative, or a study of the blue books issued by the Factory Commission and the Factory Inspectors, would dissipate into thin air. Written evidence, whether statistical or other, is only available and safe in the hands of a man who can sift and test it. In the present case it has led Mr. Johnston grievously astray ; — for it is not difficult to show that the inventions of science, so far from having been turned to the exelusive service of the rich and great, have been directed in a paramount and pecuniar manner to comfort and facilitate the daily existence of the working classes ; — that the augmentation of national wealth has been participated in to a remarkable degree by all ranks in the community, and has added greatly to the comforts of the poor and needy ;— and that there is abundant reason for suspecting the common assertion of ‘the rich growing richer, and ‘the poor poorer,’ to be the reverse of true.

We are not disposed to draw a' picture *couleur de rose* of the condition of our people, any more than we are willing to accept our author's *silhouette en noir*. We have been too long and too near witnesses of their struggles and their sorrows, to feel any temptation to ignore them, or make light of them. But we must remember that the question is not now, — whether our present state is satisfactory ? but, Is it improving or deteriorating ? Are we advancing, or retrograding in civilisation and well-being ? Is our actual progress so slow, as to make us

despair about the future? or, worse still, Is our improvement confined to the outside, the surface, and the summit, while all within is hollow, and a varnished decay is busy at our vitals? Admitting then, and deplored, as we do, that the condition of the masses is far from the ideal we might form, far even from a point at once desirable, attainable, and due, — we affirm that it has improved, and is still improving, with a rapidity and in a direction, which, viewed aright, justify the most sanguine anticipations.

‘The inventions of science have not benefited the poorer classes.’ — Have they not? Look at railroads, the great scientific marvel of the age, which in the course of twenty years have brought the remotest parts of our islands within twenty-four hours of each other, which have quintupled our locomotive speed, and multiplied the amount of our locomotion in a ratio that baffles calculation. Who have been the chief gainers by them? Clearly the poor, to whom, formerly, locomotion was a thing almost impossible; who, for the most part, passed the whole of life in the narrow circuit of their native hamlet, or the town in which they were apprenticed; who frequently lived and died without visiting the next valley, or crossing the range of low hills which were ever before their eyes; who, if compelled by dire necessity to travel, trudged painfully on foot, weary, limping, and heavy-laden; who, on their rare holidays, could find no recreation but wandering in familiar fields, or boozing at the wonted tavern. The wealthy could always travel in luxurious carriages with spirited post-horses, which carried them along at the rate of eighteen pence a mile. The middle classes indulged their restless or curious propensities on the top of the mail coach, a mode of conveyance to which even now they look back with affection and regret. But the poor, till this great application of science to their use, were absolutely rooted to their place of birth: they heard of London, or York, or the mountains, or the lakes, as distant scenes replete with wonders and attractions, but as inaccessible as Paradise to them. Now, every fine Sunday, every summer holiday, sees hundreds of thousands of artisans rush from the smoky recesses of Liverpool or London to make merry with their friends, or refresh themselves after a week of toil with the gay verdure and invigorating air of the country. For the smallest sums, they are carried in cheap trips to see York minster, or to wander on the cliffs of Scarborough, or bathe in the sea at Dover; — they are poured out in multitudes on the shores of Windermere; and conveyed almost without any intervention of their own, to London, to Dublin, to Paris, at a cost which few among them

cannot, by an effort, manage to afford. What these new facilities must have done to counterbalance and compete with the low pleasures of intemperance and gambling, how they have interfered with the cock-fight, and unpeopled the race-course, and replaced the bull-bait, may be easily conceived. A 'cheap 'trip' is now, with the artisan class, the established mode of passing a leisure day. In 1848, the number who left Manchester alone, in Whitsun week, by these excursion trains was 116,000; in 1849 it had risen to 150,000; and last year it reached 202,000. Mr. Johnston himself gives a table (vol. i. p. 285.) which should have prevented him from penning the rash sentence we have quoted from him on the uselessness of scientific improvements to the poor. In 1849 the number who travelled by railway were as follows:—

	Passengers.	Receipts.
First Class - - - -	7,292,811	£1,927,768
Second - - - -	23,521,650	2,530,968
Third and Parliamentary -	32,890,323	1,816,476

Thus it appears that the poorer classes travelled by railway to the number of nearly 33,000,000, and could afford to spend in that mode of recreation nearly 2,000,000*l.* They outnumbered the middle classes in the proportion of *four to three*, and the wealthier classes in the proportion of *four to one*.

'The condition of the working classes has deteriorated, and their command over the comforts of life has diminished.' — Has it? Let us look at facts again. At the close of the last century, rye, oaten, and barley bread were extensively consumed throughout the country: according to one authority, rye bread was the habitual food of one-seventh of the population: it is now entirely disused, and the use of wheaten bread is almost universal among even the poorest classes. To what extent their consumption of this has increased, we have no means of knowing with any approach to accuracy. According to the calculation of Lord Hawkesbury, the consumption of wheat in the kingdom in 1796 was 6,000,000 quarters; it is now estimated by the most careful authorities (but of course, as we have no agricultural statistics, this is merely an estimate) at 15,200,000 quarters. The growth of wheat in England is known to have enormously increased; and besides this, the amount of wheat and wheat-flour imported and retained for home consumption, which was 2,317,480 quarters in the five years ending with 1800, had increased in the five years ending with 1850 to 15,463,530 quarters. Vast as has been our importation since, it has all gone into consumption as fast

as it was landed. Of course, the difference between our population at the several periods is to be taken into account. But, all things considered, probably the price of grain may be the best proximate test of the command of the working classes over this the first necessary of life. Now, a comparison of the past and present gives us a conclusive result; and it is a fair comparison, because the potato-disease and the famine of 1847 form an ample set-off against the bad harvests at the beginning of the century. The average price of wheat during the first ten years of the century was 83s. 6d.; during the last ten years it was only 53s. 4d. The same earnings therefore which in the last generation could command only five quarter-loaves would now purchase eight. The fall in the cost of other articles of daily consumption among the poor has been nearly, if not quite, as great. Coffee, which fifty years ago was selling at 200s. a ewt., may now be purchased, of equal quality, at 117s.; tea, in the same period, has fallen from 5s. to 3s. 4d. a lb.; and sugar from 80s. to 41s. a cwt. In articles of clothing the reduction is even more remarkable: a piece of printing calico, 29 yards long, which is made into three gowns, and which as late even as 1814, cost 28s. in the wholesale warehouse, is now sold for 6s. 6d., and two years ago sold as low as 5s. A piece of good 4-quarter Irish linen (13⁰⁰ quality) bleached, sold in 1800 at 3s. 2d. a yard. Goods, the nearest to the same kind now made, sell at 14d. Grey 4-quarter shirting (20⁰⁰ quality), which cost 5s. 6d. a yard in 1800, and 3s. 6d. in 1830, now sells for 1s. 6d.; and the cost of bleaching it is reduced in the same proportion, viz., from 12s. a piece in 1800 and 8s. in 1830, to 3s. 6d. in the present year.

These facts prove that the poor have the power of purchasing a larger quantity of food and clothing than formerly with the same sum. But we can go a step further than this, and can show, in the case of many articles, that they actually *do* supply themselves more liberally than formerly. We have seen that they do so with wheat. The average consumption of coffee (in spite of the great adulteration with chicory) has risen from one ounce and a tenth per head in 1801 to twenty-eight ounces in 1849; tea from 19 oz. to 23 oz.; sugar from 15 lbs., which it was in 1821, to 24 lbs. in 1849, against 22½ lbs. in 1801.

Now it needs no elaborate argument to show, that increased cheapness of the principal necessities of life must redound to the essential benefit of the poorest and most numerous section of the community. Of such articles as bread, sugar, coffee, calico and linen, the wealthy and easy classes will always allow themselves as much as they desire or need; and a reduction in price will seldom induce them, as individuals (apart, that is, from

their servants and household), to increase their consumption. It allows them, indeed, a larger surplus to spend on luxuries or elegancies; but that is the sum of its benefit to them: to the poor it makes all the difference of a scanty or an ample meal, of warm or insufficient clothing, of an anxious or a care-free mind, of a vigorous and healthy or a pining and sickly family. Mr. Johnston, indeed, seems disposed to deny these conclusions, and has made a curious discovery. ‘If the labourer,’ says he (i. 136.), ‘were more a consumer than a producer, this cheapening of the produce of labour would be a prudent policy; but as the labourer is more a producer than a consumer, the policy is manifestly inimical to his interests.’

As this is a fallacy which, though not often so clearly expressed, is at the root of many of the notions and feelings of conservatives and protectionists, it may be worth while to spend a few sentences upon it, though it has been already frequently exposed. In what way is the labourer — in what way can he be — more a producer than a consumer? Is he not a consumer *par excellence*? Is not a larger proportion of his total income expended in articles of consumption than is the case with any other class? The middle class man purchases out of his earnings books for his library, ornaments for his chimney-piece, railway certificates for the investment of his savings. The nobleman spends half his income in foreign tours, in costly pictures, in vast conservatories, in strange exotics. The poor man spends *all* his income in food, in clothing, or in rent. How should he not be more benefited than any other, when these are cheap and plentiful? ‘Because,’ says Mr. Johnston, ‘he is himself the producer of them.’ Here lies the fallacy. In what sense, producer? When a poor man is working on his own account and not for wages, he is owner of the article which he produces, and it is in his character of owner, and not as the instrument of production, that he has a direct interest in its price. Suppose him to be a maker of calico, and that calico and all other articles fall equally. He makes and *sells* calico; but he *purchases* hats, shoes, bread, bacon, sugar, and tea. He exchanges a piece of cheap calico against cheap hats, cheap bread, cheap sugar; instead of exchanging a piece of dear calico against dear hats, dear bread, dear sugar: this is the most favourable statement of the case for Mr. Johnston’s theory. Yet, even on this statement cheapness could be no ‘imprudent policy’ for the poor man, since, in both cases, he exchanges what have been *his whole earnings for his whole expenditure*; and a man who does this can never be more a producer than a consumer. But take the case of a poor man working for wages. The only way in which the cheapness of the article he produces can be a disadvantage to him, is in the degree to which

his wages are affected by it. We will not stop to inquire at present, whether the employer of manufacturing labour or of agricultural is most likely, under a general fall of prices, to be able to meet the fall in the article which he produces without a reduction in the money wages of his labours. The question before us, on a comparison of prices and wages, is one of fact. Have the wages of the labourer fallen, *pari passu*, with the price of the article at which he labours or of the main articles of his consumption? Now, will any one pretend to say that this has been the case? Have the wages of the agricultural peasant fallen in the proportion of 83 to 53? Have the wages of the calico weaver fallen in the proportion of 28 to 6? Have the wages of either of them fallen in the proportion of tea, coffee, or sugar? Is there any ground for believing that their wages have fallen at all? Let us inquire a little into this.

We admit at once that this is a point on which we cannot speak with the authoritativeness of distinct and positive knowledge: neither can our opponents. We have our strong convictions, as they may have theirs; but neither we nor they have any documents by which we can force others to adopt them. The inquiry into the relative earnings of different trades and occupations in this and the last generation is one of singular difficulty, and one respecting the results of which those who have taken the most pains with it will speak with the most diffidence. We have examined all the information which Mr. McCulloch and Mr. Porter have been able to collect, and all which we ourselves have been able, from various sources, to bring to bear upon the question; and we avow ourselves quite unprepared to speak dogmatically. The following, we believe to be the truth:—The wages of agricultural labour have fluctuated greatly at different times, and even now vary immensely in different counties, and for different qualifications; but we question whether any general change has taken place either for better or worse. There is no rule respecting them. There are districts where the earnings are only 7s. a week; there are others where they are 12s.; some where they are 15s.; and we have heard of cases where a first-rate ploughman or thresher received 20s., and where the farmer said it answered to him to pay this. There are certain occupations in which wages have fallen from special causes,—as that of the hand-loom weavers, where ignorance, want of enterprise, and love of a domestic occupation have combined to induce them to continue a hopeless competition against improved machinery;—as that of the tailors, deranged in some degree, some years since, by the consequences of foolish and unwarrantable strikes, but affected seri-

ously, we believe, only in the case of show shops and the like;—as that of bad needlework, where the ease and collateral advantages of the employment have tempted into it excessive numbers. With these exceptions, we believe that the wages of labour — *i. e.* the amount earnable in a given number of hours — have rather risen than fallen during the last fifty years.—So much for our belief,—which perhaps may be worth no more than the belief of others. The following, however, are facts; and comprise, we believe, all the actual information extant, and to be relied on. Mr. Porter has ascertained from the Tables kept at Greenwich Hospital, that the wages of *carpenters* had risen from 18*s.* a week in 1800, to 29*s.* 3*d.* in 1836;—of *bricklayers*, from 18*s.* to 26*s.* 9*d.*;—of *plumbers*, from 19*s.* to 30*s.* In the same period the earnings of *London compositors* in the book trade had risen from 33*s.* to 36*s.*: we have ascertained that they remain the same. The earnings of compositors employed on the Morning Papers had risen from 40*s.* to 48*s.* a week: they are now at the latter amount. From evidence published by a Committee of the House of Commons in 1833, added to such information as we have been enabled to obtain up to the present period, we give, as fully reliable, the following table of the earnings of a spinner of cotton yarn No. 200 — at these several dates.

	Weekly net Earning.	Pounds of Flour these would purchase.	Pounds of Flesh Meat these would purchase.	Hours of Work.
	s. d.			
In the year 1804	32 6	117	62	74
„ 1833	42 9	267	85	69
„ 1850	40 0	320	85	60

In this case we see that in a trade more exposed than almost any other to severity of competition, a gradual rise of wages has been accompanied by a gradual reduction in the hours of labour, and a gradual, but decided, fall in the price of food. These we believe comprise all the facts known and to be trusted; and assuredly they fully make good our position.

Mr. Johnston returns to the charge (*i. 136.*) thus:—‘The working classes have allowed themselves to be made the instrument of the middle orders or men of business, and have been led away by the delusion of accomplishing political changes, from which practically *they* could derive no advantage.’—Is this true? Have they derived no advantage from

the political changes which have taken place during the last twenty years? Has Parliamentary reform led to the remission of no taxation which pressed heavily upon them? Has commercial reform, rendered possible only by the great Act of 1832, brought no addition to their comforts, no plenty to their hearths, no spring to their industry, no demand for their productions? In what state would they have been, if our exports in 1850 had been the same as our exports in 1840? Has municipal reform relieved them from no burdens and no injustice? Have the county courts afforded them no facility for the recovery of their small debts? Has the increasing attention now paid to those sanatory arrangements which peculiarly concern the poor, no connexion with the augmentation of the popular element in our government consequent upon Parliamentary reform? Is the vast improvement which has taken place in the schools for the working classes in no degree traceable to the same influence? Has not, in fact, the whole of our legislation for the last fifteen years been marked above all other characteristics by attention to the wants, interests, and comforts of the poor? Let Mr. Johnston look at our fiscal legislation alone, and blush for the injustice of his charge.

It is scarcely too much to say, that since 1830 the chief occupation of the Chancellor of the Exchequer has been the removal or reduction of taxes which pressed upon the mass of the people. We know how distasteful figures generally are both to hearers and readers, and we shall therefore be merciful in our use of them; but we have collected a few which are too speaking to be withheld. Since the peace in 1815 (leaving out that year), we have repealed, up to 1846, taxes which produced annually 53,046,000*l.*; and we have imposed taxes to the amount of 13,496,000*l.*; leaving a clear balance of relief to the country of 39,550,000*l.* a year. From 1830 to 1850, 21,568,000*l.* of taxes have been repealed, and 7,925,000*l.* imposed, showing a relief to the country since that period of not less than 13,643,000*l.* But these figures, though showing the extent to which the country has been eased, give a very inadequate conception of the extent to which the working classes have participated in that relief. Of the 7,925,000*l.* of taxation imposed since 1830, 5,100,000*l.* is furnished by the income tax, from which they are wholly exempted. In 1830, there were taxes on all the raw materials of our industry; now, all these come in free. In 1830, there was a prohibitory duty on foreign grain, foreign meat was excluded, and heavy customs' duties were levied on all imported articles of food. Now corn comes in free; butchers'-meat comes in free; the duty on colo-

nia coffee has been reduced from 9*d.* and 6*d.* per lb. to 4*d.*; the duty on foreign sugar was prohibitory, it is now 15*s.* 6*d.* a cwt.; the duty on colonial sugar was 24*s.* a cwt., it is now 11*s.* In 1830, the poor man's letter cost him from 6*d.* to 13*½d.*, he now gets it from the furthest extremity of the island for a penny. In fact, with the single exception of soap, *no tax is now levied on any one of the necessities of life*; and if a working man chooses to confine himself to these, he may escape taxation altogether. Whatever he contributes to the revenue is a purely voluntary contribution. If he confines himself to a strictly wholesome and nutritious diet, and to an ample supply of neat and comfortable clothing, — if he is content, as so many of the best, and wisest, and strongest, and longest-lived men have been before him, to live on bread and meat and milk and butter, and to drink only water; to clothe himself in woollen, linen, and cotton; to forego the pleasant luxuries of sugar, coffee, and tea, and to eschew the noxious ones of wine, beer, spirits, and tobacco, — he may pass through life without ever paying one shilling of taxation, except for the soap he requires for washing — an exception which is not likely to remain long upon our statute-book. Of what other country in the world can the same be said? The discontented, the factious, and the agitating still go about, telling the working man that he, the heavily-taxed Englishman, cannot compete with the lightly-taxed foreigner; speaking, as they might have been justified in some respects in speaking in 1800, or in 1815, or in 1829; using language which may have been true then, but which is simply false now. But in a work like Mr. Johnston's, carefully prepared for the press, such unfairness and unveracity should, in common decency, have been avoided. In no country in Europe is the peasant and artisan so free from all enforced taxation as in England. The French peasant pays a salt-tax, a *contribution personnelle et mobilière*; a licensee tax; and, if he live in a town, the vexatious and burdensome *oetroi*. The German labouring man pays a poll-tax, a class tax, a trade-tax, and sometimes a meat-tax; and in certain parts an *oetroi* also. *The English working man pays no direct taxes whatever.* He is taxed only for his luxuries; he pays only on the pleasures of the palate; if he chooses to dispense with luxuries, none of which are essential and few of which are harmless, he dispenses with taxation too; if, on the contrary, he chooses to smoke his pipe and drink his glass, to sip tea from China, and sweeten it with sugar from Jamaica, he at once puts himself into the category of the rich, who can afford these superfluities; *he voluntarily steps into the tax-paying class*, and forfeits all title to sue or to complain *in forma pa-*

peris. We are far from wishing to intimate that he should not indulge in all harmless luxuries to the utmost limit that he can afford; but most indisputably, in thus leaving it optional with him whether he will contribute to the revenue or not — and subjecting him to no actual privations if he decline to do so — Parliament is favouring him to an extent which it vouchsafes to no other class in the community, and to which no other land affords a parallel. His earnings are decimated by no income-tax, like those of the clerk; his cottage is subject to no window-tax, like that of the struggling professional aspirant; very generally he does not even contribute to the poor-rate; — he pays, like the rich man, to the State only when he chooses to imitate the rich man in his living.

In a very valuable paper, read by Mr. Porter before the British Association last August, on 'the self-imposed taxation of the working classes,' he shows in a very striking manner how far less liberally they are treated by themselves than by the government which their advocates so unfairly accuse of neglect and injustice. He there clearly proves that the working classes tax themselves every year, in three needless and noxious articles alone, to an extent equal to the whole yearly revenue of the kingdom: these articles, too, (which is the worst and most selfish feature of the case) being consumed almost entirely by the heads of families, to the exclusion of their wives and children. Mr. Porter, after a careful calculation, in which all exaggeration is anxiously eliminated, gives us the yearly expenditure of the people in the items of British and Colonial spirits, beer and porter, tobacco and snuff; leaving out brandy, as mainly used by the rich; leaving out all beer brewed in private families; leaving out English-made cigars, and all foreign manufactured tobacco, which is chiefly the higher priced snuff and Havaannah cigars, not used by the poor. The sum total is as follows: —

Rum, gin, and whiskey	-	-	-	£20,810,208
Beer and porter	-	-	-	25,383,165
Tobacco and snuff	-	-	-	7,218,242
				£53,411,615

Let those who speak of working men as an oppressed, impoverished, and extortionised class, reflect what a magical change in their condition a very few years would effect were this vast sum, thus worse than thrown away, either expended in adding to their comforts, or laid by to raise them into the class of capitalists, whom they so much envy and so thoughtlessly malign.

'Vast as has been the increase of the national wealth of late years, its distribution has been far less satisfactory.' So avers Mr. Johnston. 'Property is more and more coagulating into large masses. The rich are becoming richer, and the poor poorer. No class of politicians denies this.'—We deny it *in toto*: there is no evidence to support the assertion; and, thanks to Mr. Porter's industry and research, there is considerable evidence to disprove it. It is obvious that when the savings of the working classes — the sums they accumulate and lay by — are increasing, it cannot be said, with any truth, that the poor are becoming poorer. Now, we have no means of knowing, with any certainty, what the total amount of these savings are, because so large a portion of them are in the hands of friendly societies and Odd Fellows' clubs, of whose investments no summary is published. We only know that they are largely increasing: The number of these friendly societies registered was, in 1846, not less than 10,995; and the amount deposited by them in savings' banks, and directly in the hands of the National Debt Commissioners, was 3,301,560*l.* In 1849, in spite of the severe pressure and high prices of 1847 and 1848, this sum had increased to 3,356,000*l.* This, however, by no means comprises the whole.—Mr. McCulloch informs us that, in 1815, these societies were said to have numbered 925,429 members. If this be correct, they must now, he says, reach 1,200,000. But leaving these figures, over which some doubt may be thrown, let us come to Savings' Banks, where we have official documents to rely upon. In England, Wales, and Ireland, the depositors, who numbered 412,217 in 1830, had increased to 970,825 in 1848; and the amount deposited had sprung up from 13,507,568*l.* to 27,034,026*l.* The following will show the increase in the deposits as compared with the population, for England, Wales, and Ireland. In Scotland, owing to the greater facilities and the more liberal interest afforded by the ordinary banks, savings' banks have not till recently been much used.

	s.	d.
In 1831 the amount deposited was	- 12	8 per head.
1836 "	" 16	4 "
1841 "	" 19	10 "
1846 "	" 24	0 "

In 1848, the amount had fallen off to 20*s.* 11*d.*, owing to the distress occasioned by the potato-rot, and the high price of provisions: it has since again increased.

It is, however, sometimes asserted that the bulk of depositors in these institutions do not belong, properly speaking, to the

working classes, but are composed of domestic servants and small tradesmen. As regards friendly societies this assertion is certainly not true: as regards savings' banks we cannot speak so decidedly, since the callings of the depositors are not regularly classified and published. But we have lying before us a return from the Manchester and Salford Savings' Bank in 1842 — from which it appears that out of 14,937 depositors, 3,063 were domestic servants, 3,033 children, whose parents had invested money for them, only 2,372 tradesmen, clerks, warehousemen, porters, artists and professional teachers, and the remainder were labourers and handcraftsmen in various branches of industry.

The official accounts of the dividends paid to fundholders afford much valuable information, strongly controverting the idea of the present tendency of property to concentrate itself into few hands. They show that while the larger fundholders are diminishing, the smaller are increasing. More persons hold to the half-yearly value of 5*l.*; fewer to the half-yearly value of 500*l.*

Fundholders receiving at each Payment.	1831.	1848.	Increase per Cent.	Diminution per Cent.
£				
Not exceeding 5	88,170	96,415	9.35	
,, 10	44,790	44,937	0.33	
,, 50	98,320	96,024	-	2.33
,, 100	25,694	24,462	-	4.79
,, 200	14,772	13,882	-	6.02
,, 300	4,527	4,032	-	10.93
,, 500	2,890	2,647	-	8.41
,, 1000	1,398	1,222	-	12.59
,, 2000	412	328	-	20.38
Exceeding 2000	172	177	2.90	
	281,145	284,127		

The increase in the last item is caused by the insurance offices, which invest largely in the funds.

The income-tax returns lead to a similar conclusion: the smaller incomes have increased faster than the larger. While the number assessed between 150*l.* and 500*l.* have increased between 1812 and 1848, 196 per cent.; those assessed upwards of 500*l.* have increased only 147 per cent. The probate duty lists give the same result. Between 1833 and 1848

		Per cent.
The amount assessed on estates up to - £1,500	had increased	15·56
" " between £1,500 and £5,000	"	9·21
" " " £5,000 and £10,000	"	16·38
" " " £10,000 and £15,000	"	6·36
" " of upwards of £15,000	"	7·20

While the amount of duty received on estates of 30,000*l.* and upwards has been steadily though slowly decreasing.

Driven from all these lugubrious and malcontent positions, Mr. Johnston takes refuge in the assertion that, in spite of wealth, in spite of civilisation, in spite of education, the moral condition of the people of England has retrograded in recent years. We will not now follow him through all the details he brings forward in proof of his statement. We will give one as a sample of the rest. He affirms, first, (vol. ii. p. 247.) as a matter which has fallen under his personal observation, that the greatest curse and source of crime and degradation among the labouring classes of England is drunkenness ; and secondly, that this vice is on the increase, and 'that from whatever cause, the consumption of ardent spirits has far from diminished.'—We admit his first assertion : we entirely deny the second. The decrease of habits of drinking among the middle and higher classes has long been matter of notoriety and of congratulation. Mr. McCulloch states the average consumption of wine in the United Kingdom to have fallen since the close of the last century from *three* bottles a man to *one and one-third* ; and from the last returns published we deduce the following figures :—

	Per head.
From 1795—1804	we consumed 0·52 gallons of wine a-year.
1821—1824	" 0·22 " "
" —1842	" 0·18 " "
" —1849	" 0·22 " "

This is a most satisfactory result ; but it is not generally known that the official documents relating to the consumption of beer and ardent spirits show one not less satisfactory with regard to the increasing temperance of the poor. For the first quarter of this century the high duties on British spirits caused such an enormous amount of illicit distillation that no comparison can be instituted with that period. Since 1830 the following table shows the annual consumption per head in the kingdom.

	1831.	1841.	1849.
British Spirits drunk per head -	·90	·77	·84
Colonial - - - - -	·15	·09	·11
Foreign - - - - -	·05	·04	·08
	<u>1·10·</u>	<u>·90</u>	<u>1·03</u>

The following table is still more clear and satisfactory, as showing that there has been a large and, on the whole, a continuous decrease in the use of ardent spirits in England and Ireland, and that the sole increase has been in Scotland.

Home-made Spirits charged with Duty.	1831.	1836.	1843.	1846.	1849.
England -	£ 7,732,000	£ 7,875,000	£ 7,720,000	£ 5,634,000	£ 5,318,000
Scotland -	6,007,000	6,621,000	5,593,000	9,560,000	10,445,000
Ireland -	9,004,000	12,249,000	5,546,000	8,333,000	8,117,000
U. Kingdom	22,743,000	26,745,000	18,859,000	23,527,000	23,880,000

The diminution in the consumption of malt liquor appears to have kept pace with that in the use of spirits. In 1830 the beer duty was taken off, and a great increase in the number of licences was the result. The beer shops increased till 1838, when they reached their maximum. Since that time they have steadily declined. The licences granted in that year were 45,717, or one for every 566 persons; in 1849, they were 38,200, or one for every 720 persons.

Consumption per Head in the United Kingdom.	British Spirits Gallons.	Bushels of Malt.
In the year 1831 -	.90	1.63
," 1841 -	.77	1.35
," 1849 -	.84	1.32

It will be allowed, we think, that these figures effectually dispose of Mr. Johnston's rash assertion as to the increase in the consumption of intoxicating liquors among our increasing population.

We trust that the picture we have drawn of the undeniable improvement of our population as a whole, and of our progress in all the departments of national well-being, will not be held to indicate want of knowledge of the amount of social suffering which still exists, nor want of the deepest sympathy with the sufferers. We are fully cognisant of the existence in our great towns of a class of beings *below* the working classes, permanently and almost hopelessly degraded. We are not blind to the pressure, the privation, the penury, the occasional star-

vation, even, prevalent among many craftsmen, especially perhaps, among sempstresses and tailors. We admit and deplore the depressed and impoverished condition of the agricultural labourers over many parts of England ; and we look upon this feature in the social state of England with almost more anxiety than any other, because, more than any other, an air of wretchedness and of inability to rise would here appear to be characteristic of a whole section of our population. But we do not dwell upon these painful facts here, not from wishing to ignore them, nor from feeling them to be irreconcilable with our theory of progress, but because — unless they can be shown to spring out of our advancing civilisation, or to prevail now to a greater degree than formerly — they are, in our controversy with the asserters of our national decay, to a great extent irrelevant considerations. The existence of wide-spread distress is undoubtedly a proof that our civilisation is imperfect, and our social system incomplete ; but that this distress is more extensive or more severe than it has been, will not, we think, be deliberately held by any one who is aware how similar complaints, as angry and unmeasured, stretch back through the whole half century ; how much more sensitive to suffering, how much more quick to detect and prompt to pity misery, the public mind has of late years become ; and how many phases of wretchedness formerly hidden in secrecy and silence are now made known through a thousand channels. If there are among us any classes whose inability to live in comfort or to rise out of their bondage is justly chargeable upon the arrangements of society, this is an impeachment of our civilisation, and a fatal flaw in the structure of our political community. But if, as we believe, all these cases of misery and degradation — where they are not those casual exceptions which must always exist in human, and therefore imperfect societies — are distinctly traceable to the former neglect of natural laws which are now beginning to be studied and obeyed, and to a violation, by the last generation, of principles which have been taken as the guide and the pole-star of the present, — then this impeachment can no longer be justly sustained. It is the law of nature that children should suffer for their father's faults : it is the law of nature that indolence, improvidence, recklessness, and folly should entail suffering and degradation ; and it is no just ground for the condemnation of our social arrangements that they carry out this law ; nor any argument against the progress of an age that the action of this law is legibly written on its face. If, indeed, (in any but exceptional instances, which no system can ever meet,) the industrious, the frugal, and the

foreseeing — whose parents before them were industrious, frugal, and foresecing also — not only cannot maintain their position or rise above it, but are sinking lower and lower in spite of their exertions, then the construction of society is somehow, sonewhcre, in fault, and our boasted progrcss is a mistake and mockery. But who will affirm such cases to exist except as rare anomalies?

One remark more, and we will quit this branch of the subject. Much has been written of late respecting the privations of the 30,000 needlewomen and the 23,000 tailors of the metropolis, and of the destitution and squalor of the peasants in rural districts: shocking individual pictures have been drawn of the sufferings of these classes; and, exaggerated as some of them may have been in tone and colouring, we do not deny their truth in the main. They are true as scenes; are they true as general dclineations? Are they *specimens*, or *exceptions*? How deep do thcse miseries go? Are they characteristic of a class, or only of individuals of that class? There is, moreover, one weighty consideration entirely left out of view by those who draw rapid generalisations from these harrowing descriptions, which we can only just indicate here. *How small a redundancy of numbers in any branch of industry will suffice to give to that branch the appearance, and even, for the time, to cause the reality, of general distress?* If, in the cotton trade, there is regular employment, at ample wages, for 50,000 spinners, and 50,500 are seeking for work, though it be only this extra *one per cent.* who are properly speaking destitute or in distress, they may easily succeed not only in actually making the other ninety-nine sharers in their privations, but in giving a general character of destitution and *unemployment* to the whole class. If there are 31,000 needlewomen in London, and only 30,000 are wanted, the surplus thousand, by their competition, their complaints, their undeniable destitution, will inevitably produce on the superficial observer the impression of starvation and inadequate employment pervading the whole denomination. Apply these remarks to the clothing trades. Now, if we are right in this, with what justice can sufferings of this character be urged to show that society is retrograding or out of joint? How can privations, however sad, however clamorous for cure, resulting from the surplus of a few thousands — *and properly belonging only to those few* — be adduced in disproof of the progress and increasing comfort of a population of 20,000,000?

The excessive toil required in nearly every occupation — the severity of the struggle for existence — the strain upon the

powers of every man who runs the race of life in this land and age of high excitement,—Mr. Johnston regards as a great counter-indication to the idea of progress. Unquestionably it is a great drawback, and a sore evil. But it is by no means confined to the lower orders. Throughout the whole community we are all called to labour too early and compelled to labour too severely and too long. We live sadly too fast. Our existence, in nearly all ranks, is a crush, a struggle, and a strife. Immensely as the field of lucrative employment has been enlarged, it is still too limited for the numbers that crowd into it. The evil is not peculiar to the peasant or the handcraftsman—perhaps even it is not most severely felt by him. The lawyer, the statesman, the student, the artist, the merchant, all groan under the pressure. All who work at all are overworked. Some have more to do than they can do without sacrificing the enjoyments, the amenities, and all the higher objects of existence: others can scarcely find work enough to enable them to keep body and soul together. No one can be more keenly alive than we are to all that is regrettable in such a state of things. But we doubt whether the mischief is increasing: we know that many efforts are making to diminish it; that some progress has already been achieved in this direction; and that while the evil is felt and admitted, we are also beginning to perceive in what quarter its eradication must be sought. Shorter hours of labour have already been enforced in factories; among tradesmen, and shopmen, and milliners there is a popular movement supported by an organisation of considerable extent, called ‘The Short-time Movement;’ and in the legal, and we believe in the medical profession likewise, employment is more diffused and less monopolised by a few than was the case a few years ago. The committee of the House of Commons which sat last session to inquire into official salaries, elicited some valuable information on this subject from the then Attorney-General, and other leading counsel, to the effect that owing to the establishment of County Courts and other legal arrangements, many more barristers are employed now than formerly; and that while there are fewer colossal fortunes made at the bar, there are a greater number of lawyers in the receipt of moderate professional incomes.

Further progress in the cure of this pervading malady must be sought in the diffusion of simpler habits and more moderate and rational desires; in sounder views of the objects of life, and a juster estimate of the elements of true enjoyment; in the stronger development of individual volition, and in a growing emancipation from senseless and tyrannical conventionalities.

To enable us all to work less intently and less incessantly, it is only necessary that we should be content to live more humbly and be satisfied with less: we must all alike purchase leisure by frugality, and by contentment with a lowlier and less ambitious lot than we have hitherto striven after. This is the only coin by which the pearl of great price can be bought. The labourer who aspires after continental ease must be satisfied with the privations and parsimony of continental living; the merchant must be content to purchase the delights of domestic society and unanxious nights at the price of dying fifty thousand pounds poorer than he once expected; the physician or the lawyer, if he cannot easily refuse the practice which flows in upon him in such overwhelming abundance, can at least, by limiting his desires to the accumulation of a more modest fortune, retire earlier from the struggle, and devolve his business upon his less successful brethren. If we could all be suddenly endowed with wisdom to perceive how few of the worthier objects of earthly existence require wealth for their attainment,—how truly all the real happiness, even of refined and intellectual life, is within the reach of an easily-acquired competence,—how seldom the rich are free; even in the expenditure of their riches;—how generally—how almost universally—the affluent are compelled to lay out their envied wealth, not in adding one iota to their own enjoyment, but in obedience to the tyrannical dictation of the world in which they live*, —we should discover that the excessive toil and the severe struggle of life which we all unite to deprecate and deplore, is, in truth, a self-imposed necessity,—like the taxation of the poor. If the English people could all at once be induced to lay aside their luxurious, wasteful, and showy mode of life, and adopt the frugality and temperance of the Spaniards, the simple habits of the Tyrolese, and the unostentatious hospitality of the Syrians, how few among us would not find a superfluity at their disposal!

We rejoice to believe that this more rational and homely spirit is spreading among us, especially in detached localities; and we do not think that a good citizen could render any more valuable service to his country than in promoting it, by argument and example, wherever his influence extends.

It is, however, incumbent upon those who, by a shorter process than that of national enlightenment, would bring about less strenuous exertion and shorter hours of labour in all industrial

* The late Lord Dudley used to observe that ‘the only real competence was to have 10,000*l.* a-year, and for the world to believe that you had only 5000*l.* You would then have 5000*l. for yourself.*’

occupations, to consider what the attainment of their purpose signifies, and would involve. Less labour signifies less produce : shorter hours of work mean a diminution in the quantity of all those articles of necessity and comfort which work creates. The Provisional Government of France, after the last Revolution, issued a decree reducing the hours of daily labour by one-third ; but they soon found, by actual results, what a fatal and shallow blunder they had made, looking to the object they had in view. If the peasant works eight hours instead of ten, he has so many fewer quarters of wheat to exchange with the artisan ; if the weaver works eight hours instead of ten, he has so many fewer shirts or coats to exchange against the bread of the agricultural labourer ; there is less food and less clothing for the community at large ; all articles rise in price, and therefore none of the producers benefit by the advance, while society, as a whole, is worse provided than before. We are far from saying that the leisure thus purchased may not be well worth its cost ; but we must not imagine that it can be had for nothing, or that it can be obtained at any cheaper rate. It is only by being, as a nation, contented with less, that we can safely venture to take measures for producing less. If we diminish labour, we must put up with diminished supplies ; unless, indeed, we can employ our labour on more fertile and productive fields.

Yes ! — say the votaries of ‘organisation,’ — there is a third alternative. In general we work too much — but there are many among us who do not work at all : set the idle to work. Alas ! this expedient would go but a small way towards meeting the difficulty. How many unemployed are there in Great Britain ? and what proportion do they bear to the total population, the great mass of whom are alleged to be overworked ? — Among the middle classes there are some, among the higher there are many, who do nothing. But how infinitesimal a proportion do these form of 20,000,000 ? In the manufacturing districts we hear of few unemployed artisans ; and in the metropolis the complaint is of the multitude of the overworked, not of the idle. In the agricultural districts even, the number of able-bodied unemployed is small and diminishing. The number of adults so described was, on January 1. 1849, 201,644 ; in 1850, 170,502 ; in 1851, 154,525. It is pretty certain that if all the unemployed in all ranks were set to work, they would not relieve the overworked to the extent of half an hour a day. If, indeed, as some have suggested, all who are occupied in supplying the ornaments and luxuries of life were to be employed in producing necessaries, the result might be very different ; but this would have serious evils of its own ; and be

of use only as far as it should bring us back to the remedy we have shown to be the true one,—simpler and more frugal habits diffused through the community.

Mr. Johnston devotes a careful chapter to the examination of the Criminal Returns for the last fifteen years; and seems strongly disposed to draw from them an augury favourable to his notions of the deterioration of our social state. Except, however, in the single and very painful instance of the increase of murders, which cannot be gainsaid, we do not see that his statistics bear out his impressions. A comparison of the total commitments for various classes of offences during the last fifteen years, gives the following results.

Nature of Offences.	Five Years ending 1839.	Five Years ending 1844.	Five Years ending 1849.	Increase per Cent. between First and Last Period.
Murder - - -	315	347	365	15·8
Attempts to murder and manslaughter - - -	1,763	2,210	2,153	22·1
Total offences against the person - - -	9,559	10,885	10,318	8·
Violent and malicious offences against property - - -	7,666	11,340	8,958	16·8
Simple ditto - - -	90,172	113,047	111,804	24·
Total of all commitments	112,864	142,389	136,408	20·8
Yearly average - - -	22,573	28,478	27,282	20·8

Now, notwithstanding the marked *decrease* in all offences except murder between 1844 and 1849; notwithstanding, also, the consideration that, against an increase between the first and last periods here given for comparison (an increase varying from eight to twenty-four per cent.), there has to be set an increase of population amounting to fourteen per cent.; still we are quite ready to confess, that at first sight, the result presented is the reverse of satisfactory. But there are two or three considerations which, when duly weighed, will do much to mitigate our disappointment. And, first, let us inquire into the relative heinousness of the offences committed in these three periods, as indicated by the severity of the sentences passed upon them by the judges. Many crimes necessarily classed together under the same general denomination may be marked by very different

degrees of guilt ; and, where no material change has taken place in our penal laws, between the periods to be compared, we do not know that any fairer estimate can be obtained of the relative enormity of crimes than that afforded by the view taken of them by those who were judicially cognisant of all the circumstances attending their commission.

Sentences.	Five Years ending 1839.	Five Years ending 1844.	Five Years ending 1849.	Increase per Cent. since 1839.	Decrease per Cent. since 1839.
Death - -	1,627	368	282	-	82
Transportation for more than 15 years -	2,646	1,162	493	-	81
Tr. from 7 to 15	5,087	9,766	6,173	21	
Tr. for 7 years -	10,864	15,110	12,668	17	
Imprisonment above 2 years	72	76	15	-	80
Im. above 1 year	1,775	2,395	2,208	24	
Im. 1 year and under - -	56,341	77,501	81,979	45	

Thus it appears that while the offences judged worthy of death and transportation for life have diminished since 1839, 81 per cent. ; and those judged worthy of shorter terms of exile have increased somewhat faster than the population, the vast increase which has taken place has been in those offences punishable by a year's imprisonment, or even less. A comparison between the last five years and the five years immediately preceding, shows a diminution in all offences except those visited with the mildest penalties.

There are, however, other circumstances which render the increase or diminution of committals for crime a very inadequate and often deceptive criterion of the moral progress of the community. In the first place, the varying skill and activity of the police will go far to modify any conclusions we might draw from criminal returns. An increase in the number of committals is often only an indication of a better system of detection. The number of offenders brought to justice is often no more complete or accurate test of the number of offences committed, than is the number of fish caught of the number swimming in the river. If every year a larger proportion of existing criminals be not brought to light, our police cannot be improving as it ought. It is, therefore, obvious that an increase in the crimes made known may easily co-exist with an actual decrease

in the crimes committed. In the second place — and this is a point to which we wish to call special attention — *crime is, for the most part, committed, not by the community at large, but by a peculiar and distinct section of it.* A great portion of the crimes of violence, and most of the crimes of fraud, are due to *professional criminals*; and an increase of offences indicates rather increased activity in this criminal population, or increased facility for their depredations, or, at most, an increase in their numbers, than any augmented criminality on the part of society in general. The inmates of our gaols, the culprits in our docks, belong habitually, in an overwhelming proportion, to a *class apart*, a class whose occupation and livelihood are found in the commission of offences; who are compelled to this trade because they know no other, and because no other is in vogue among the people with whom their lot is cast; and who are in many cases trained to it as regularly as others are trained to weaving, to ploughing, or to tailoring. The increase of crime, therefore, generally bespeaks, on the worst supposition, an increase of the criminal population; and in no degree militates against the idea of the progress of morality and civilisation among all other classes; though it shows, with painful distinctness and with startling emphasis, that society has not succeeded in removing the motives which stimulate to a criminal career, or in redeeming and absorbing those classes from which the criminal population is recruited. While it is one of the beneficial effects of a good police, to separate more and more the light from the darkness, our swollen return of crime is undoubtedly a blot upon our escutcheon and a drawback on our progress; not as impeaching the general honesty and virtue of the nation, but as showing the existence of a class among us which the advance of civilisation ought to have eradicated or suppressed.

These reflections may suggest an explanation of the mistake both of those who, finding the great majority of criminals to be uneducated, conceive that their criminality is due to their ignorance, and will be removed by their instruction; and of those, also, who, finding no regular and steady ratio (or only an inverse one) between the spread of education and the decrease of crime, infer that instruction is not an efficient ally of morality or a natural antagonist to crime. The criminality of the inmates of our gaols and convict ships, though found in almost invariable concomitance with ignorance, does not spring from it; but the concomitance is to be explained by the reflection that absence of all proper training and instruction is only one of the many characteristics of the class in which habitual and professional criminals are found. No education will eradicate their criminality unless it should raise them out of the class from

which they have sprung, or otherwise alter the surrounding circumstances which hem them in, and point their course with an imperious and overpowering hand. Also, under these circumstances, it is evident that no national education, however improved in its quality, or excellent in its direct results, can be reasonably expected to produce any decisive effect upon our criminal returns, as long as it stops short of our professional criminal population. Crime cannot be diminished by any moral influence bearing only upon the non-criminal classes.

Another count of Mr. Johnston's indictment against the present age is the want of cordial and kindly intercourse between different ranks: —

'The separation between rich and poor — the dissymmetry and isolation of classes, — is the great social evil of the time. Institutions for scientific and literary teaching by lectures, at the cheapest possible rates, are established; parks for the recreation of the lower orders are planted; even clubs, upon something like the aristocratic model, where conveniences and luxuries are supplied at low prices; but all this seems to be unsuccessful. What one wants to see — a mutual and hearty recognition of the differences of condition, a kind and cordial condescension on the one side, and an equally cordial but still respectful devotedness on the other — appears to make no progress.' (Vol. i. p. 131.)

This is a common and natural, but we think an inconsiderate complaint. It is 'a longing, lingering look behind,' cast after the characteristics of an era that has passed away. It is the hankering which pervades the Young-England party. It is the secret regret indulged in by the more amiable portion of our aristocracy. The truth is, that that kind of friendly intercourse between the higher and lower orders — seductive as we feel it to be in description — beautiful and touching as it often was in reality — belonged to feudalism, and is simply impracticable and incongruous in a democratic age. It arose from and depended upon a relative position of the two classes which no longer exists. It could not be ingrafted on their present relations. The theory of generous protection on the one side, and grateful and affectionate dependence on the other, can no longer form the basis on which the social hierarchy rests. If still cherished among the aristocratic rich, it is repudiated by the labouring poor; and if the former were to attempt to act it out, they would be met by ridicule, repulsion, and rebellion, from the latter. To explain fully the nature of the change in the relations of the two parties, and the precise point in the change which English society has now reached, would require us to copy whole pages from Mill's philosophic chapter on 'The Probable Future of the Working Classes,' and from the

fourth volume of Tocqueville's 'Democracy in America.' The error of those who thus seek to recall the attachments and sympathies of feudalism 'lies in not perceiving that these virtues and sentiments, like the clanship and hospitality of the wandering Arab, belong emphatically to a rude and imperfect state of the social union. We have entered into a state of civilisation in which the bond that attaches human beings to one another must be disinterested admiration and sympathy for personal qualities, or gratitude for unselfish services — not the emotions of protectors towards dependents, or of dependents towards protectors. Of the working classes of Western Europe, at least, it may be pronounced certain that the patriarchal or paternal system of government is one to which they will not again be subject. They have taken their interests into their own hands.*'

The unsatisfactory nature of the intercourse now subsisting between rich and poor arises mainly from the fact of the relations between them being in a state of transition ; neither of the two parties having altogether discarded the old ideas, nor wholly embraced and comprehended the new. Both are still somewhat under the influence of feudal associations ; and confound in their minds the rights and duties of the past relation, with those of the relation which has superseded it. The bond between the two classes, and their mutual obligations, are as clear and imperative as ever ; but these obligations have changed their character, and require to be defined anew. Till they are so defined and thoroughly realised by both, the intercourse between the classes can never resume a perfectly simple and satisfactory footing. At present, circumstances and recollections combine to make it impossible to mix either on the old footing of feudalism, or on the new footing of equality. The great repudiate the one ; the lower orders repudiate the other. There are three relations in which capital and labour, the rich and the poor, the noble and the peasant, may stand to each other. There is the relation of slavery, the relation of vassalage, the relation of simple contract. In the first there is absolute dependence and absolute control ; in the second there is a modified submission and partial protection and command ; in the third there is theoretic equality, and simple service is balanced against simple payment. In Egypt and in Carolina, the first of these relations subsists ; in Russia and Hungary the second ; in France and Pennsylvania the third ; — and in none of these countries is there any misunderstanding or confusion on the subject. In England, on the contrary, we are stepping from the second to the third of these

* Mill's Political Economy, vol. ii. p. 317.

relations, but have not yet quite realised or got accustomed to the change. Neither the higher nor the lower classes see clearly, or feel invariably in which of the two relative positions they stand, or wish to stand. Each party borrows some of the *claims* of the former relation, but forgets the correlative *obligations*. The peasant and the artisan conceive that they are entitled to claim from their master the forbearance, the kindness, the protection in danger, the assistance in difficulty, the maintenance in distress and destitution, which belong to the feudal relation; but they forget to pay the corresponding duties of consideration, confidence, and respect. On the other hand, the master is too apt to forget that his servants, and the nobleman that his tenants, are now, in the eye not only of the law but of society, his equal fellow citizens; and he is still sometimes seen exacting from them, not only the stipulated work and rent, but that deference, devotion, and implicit obedience to which only virtue, justice, and beneficence on his part at present can entitle him.

Now we are not disposed to regret that the relative position of the classes has been thus changed: the matter for regret is that the change is not fully felt or comprehended, and that it has come upon us before both parties were perfectly prepared to meet it. In the new relation properly regarded and conscientiously adopted with all its corollarics, there may be, if less that is picturesque and poetical, more that is elevating, than in the old. We confess that, in spite of the seductions of fancy, we have no hankering after the past paradise of serfdom. We believe that the reciprocal dependence and fostering of feudalism have been replaced by something better, worthier, and more hopeful. There is no longer the same frequent and devoted attachment on the part of individuals among the rich to individuals among the poor (*and vice versa*), but there is, what was unknown in feudal times, regard, care, and compassion for the poor as a class: sympathy for them and a sense of duty to them, as being an integral, acknowledged, vital portion of the community. In the regretted days of aristocracy and vassalage, the servant revered and loved his lord, and the lord was kind to the dependents who belonged to him, and was in daily intercourse with them; but justice to the labouring *masses*, compassion to the aggregate poor, a desire to elevate and improve the condition of the people as a whole, were sentiments as yet unborn. Now, it is true, we see but seldom those attachments of superior and serf, — lasting, not only through a long lifetime, but through many generations, — which so beautified and hallowed the social life of mediæval times. We do not so often witness the sports and feasts of peasants in the parks of our

nobility, encouraged and presided over by the benevolent and condescending great. Instead, however, of all this we have signs of interest and regard more substantial, if less attractive; we have sanatory commissioners; we have factory and mine inspectors; we have organised education; we have official investigations into every reported abuse; and charitable associations for relieving or precluding every possible variety of wretchedness.

But feudalism has found a still more valuable substitute and successor. Self-reliance has replaced, or is fast replacing, among our working classes the entralling, enfeebling habits of dependence on the protection and guidance of another, which was distinctive of past times. Among the agricultural peasantry the old feelings and the old habits may linger still; but among artisans and handcraftsmen of every denomination,—among the dwellers in the great hives of our industry, which are replenished from the rural districts, and who must in time communicate their own spirit to the homes from which they spring,—a proud sense of self-dependence, a resolution to owe their well-being and advancement to themselves alone, a surly and contemptuous thrusting back of charitable aid or guidance from above, are rapidly spreading, and manifesting themselves sometimes in forms which we might resent and deplore, were not the substance which gives rise to them so beyond all price.

The duties which the higher ranks of society owe to those below them in the social hierarchy, are not obliterated or discharged by this change in their relative positions, which modern times and political reforms have brought about: but the nature of these duties is materially altered. To distressed individuals of every description and of all ranks we all owe tender compassion and charitable aid: while to the lower orders, as such, we owe not charity but justice,—not so much the open purse, as the equal measure. Advice, as far as they will receive it; guidance, as far as they will submit to it; control at times, as far as the unbounded freedom of the English constitution will enable us to exercise it; education of the best quality and to the utmost extent that our unhappy sectarian jealousies will permit us to bestow it. We owe them fair play in every thing; justice of the most even-handed sort, full, unquestionable, and overflowing; the removal of every external impediment which prevents them from doing and being whatever other classes can do and be. We owe it to them to employ our superior capacities, our richer opportunities, our maturer wisdom, in cheering their toil, smoothing their difficulties, directing their often misguided and suicidal energies. We owe to them every facility with which we can surround their conflict amid the obstacles of life,—

facility to obtain land, to obtain employment, or obtain colonisation ; facility to acquire temperate habits, to accumulate savings, to employ them wisely, to invest them well ; facility, above all, to acquire that which is at once the key and crown of all, — solid and comprehensive instruction in all the things which belong both to their earthly welfare and their future peace. Our duty to them, as a class, may be comprised in a single sentence : we should enable them to *get* everything, but should profess to *give* them, as a class, little or nothing, — except education ; and if we give this to one generation, the next may safely be trusted to get it for themselves. Compassion to the afflicted, encouragement to the struggling, aid to the feeble, succour to the destitute, — these man owes to man, independent of rank or station, creed or colour, according to the measure of need on the one side and capacity on the other.

The chapter which is devoted to Sir Robert Peel is one of the most interesting in the book. Mr. Johnston regards that eminent and lamented statesman from an opponent's point of view, but in no hostile spirit. He considers that to speak of him as 'the embodiment and type of the age in which he lived, implies no compliment, if the age be (as he evidently conceives it) essentially unheroic — an age of compromise and artifice — an age more prolific of prudence than of elevated feeling — an age in which generous enthusiasm is dead.' Again, he is inclined to account for the high and sincere encomiums passed upon Sir Robert Peel by leading men of all parties, 'by a vitiated state of the general mind, so far as regards public affairs ; by the want of heroic attachment to high principle, by the fact that we have at present upper classes at once disdainful and mean, and middle classes worshipping what is safest, or what seems so.'

Now though we do not think that Mr. Johnston is altogether just to the character of Sir Robert Peel, still it is not our province to undertake his defence at present, except in as far as the grounds on which he is condemned would ensure the condemnation of nearly all the statesmen of the age ; and besides, would indicate a want of appreciation of their peculiar difficulties, and a misconception of the qualities of character and the course of conduct exacted from them by the nature of representative governments and the circumstances of modern times.

It is a common complaint among the *laudatores temporis acti*, — and our author echoes it in more than one passage — that the race of great statesmen has died out, — that their modern representatives are dwarfed and dwindled, and that statesmanship itself has become low, time-serving, and mediocre. The senti-

ment is no new one: as the men of our days look upon Pitt, and Fox, and Burke, the men of their times looked back on Bolingbroke and Chatham; these in their turn on Halifax and Clarendon; and these again on Walsingham and Burleigh. But the truth is that the statesmen of one age or country are unsuited to the requirements of another; and it is from failing to bear this in mind that we are so generally unjust to the men of our own day, so needlessly desponding about our future, and so apt unduly to extol the great leaders of the past. Our age demands very different qualifications in its public men from those which made men eminent and serviceable in the times of our forefathers. The statesmen of an autoeratic government, like Austria or Russia, would scarcely be more out of place in a constitutional government like ours, than the statesmen of Elizabeth, or Charles, or Anne would find themselves in the reign of Victoria. The magnificent powers of Sully and Richelieu, even of Stein and Hardenberg, would be misplaced in the latitude of London. Marlborough and Godolphin would be impeached for corruption; the domineering genius of Lord Chatham would cause him to be shelved as an ‘impracticable’ man, with whom it was impossible to act; the imperious temper of Hyde and Strafford would be much more promptly fatal to them in our days than they at last became even in their own; and even a Cecil could scarcely manage to govern with a reformed parliament as ‘viceroy over them.’ The very qualities which made men great in public life formerly, would bar them out from public life now. A vast change has taken place in the nature of the statesmanship required; and it is still in progress. The statesmanship required now is far less initiative and more administrative than formerly. A public man in the present day cannot decide upon his principles and purposes, and carry them out by the mere force of the high position to which his sovereign may have raised him. He is debarred from the glorious power which belongs to the rulers of autoeratic states, of deciding in his own mind on the measures suited to ensure his country’s grandeur or well-being, and enacting and enforcing them, regardless of the opposition of parties less far-seeing, less profound, less patriotic than himself. He cannot place before him a great object, and say, ‘This my position as prime minister enables me to attain, and I will disregard present hostility and blame, and trust to future results to justify and vindicate my wisdom.’ He is denied that noblest privilege of the wise and mighty—that which gives to statesmanship its resistless fascination for the ripened mind—the right to elaborate, ‘in the quietness of thought,’ a system of policy, solid in its foun-

dations, impartial in its justice, far-reaching, fertilising, beneficent in its operation, — and to pursue it with unswerving and imperturbable resolve. He cannot, like Peter, systematise the civilisation of a barbarous empire; he cannot, like Richelieu, by the union of high office and indomitable will, subdue and paralyse a haughty and ancient aristocracy; he cannot, like Colbert, reconstruct the finances and commerce of a great kingdom; he cannot, like Stein, by an overpowering fiat, raise a whole nation of *prolétaires* out of serfdom into civil possessions and civil rights. He is powerless except in as far as he can induce others to agree with him. He has not only to conceive and mature wise schemes, he has to undergo the far more painful and vexatious labour of persuading others of their excellence, of instructing the ignorance of some, of convincing the understandings of others, of combating the honest prejudices of one party, of neutralising the interested opposition of another; he has to clip, to modify, to emasculate his measures, to enfeeble them by some vital omission in order to conciliate this antagonist, to clog them with some perilous burden in order to satisfy that rival, till he is fain to doubt whether compromise has not robbed victory of its profit as well as of its charms.

These are some of the difficulties which statesmen have to overcome in a country where Parliament is omnipotent, and where every citizen is a dogmatic and self-complacent politician. Though modern statesmanship may call for other qualities than those needed in former days, the qualities are assuredly neither fewer, less lofty, nor less rare. A thorough mastery of facts, a clear purpose, a patient temper, a persevering will; a profound knowledge of men, of the motives which actuate them, of the influences by which they are to be swayed; skill to purchase the maximum of support by the minimum of concession; tact to discern the present temper and the probable direction of the popular feeling; sagacity to distinguish between the intelligent and the unintelligent public opinion, between the noisy clamour of the unimportant few, and the silent convictions of the influential many, between the outcry which may be safely and justly disregarded, and the expression of the mind of the country which it would be wrong and dangerous to withstand; — these are surely qualifications which demand no ordinary combination of moral and intellectual endowments. The statesman of to-day requires as comprehensive a vision and as profound a wisdom as in former times, with intenser labour, and a far wider range of knowledge; but he requires other gifts which formerly were scarcely needed. For, he now has not only to decide what ought to be done, and what is the wisest way of doing it, but he has to

do it, or as much of it as he can, in the face of obstacles of which Machiavelli had no conception, which would have baffled Mazarin, and at which even Chatham or Walpole might have stood aghast. To quarrel with a statesman because he is what his age compels him to be, because he meets the requirements of his day and generation, because he does not import into a democratic age, and into a country in which the popular element is unprecedentedly active and powerful, the habits and qualities of mind which could only find their fitting field and natural development in aristocratic or despotic eras, is simply to join issue with the political necessities of the times. In England, in the middle of the nineteenth century, with a reformed Parliament, with a free and powerful press, with a population habituated throughout all its ranks to the discussion of political affairs, a minister, whatever be his genius, can no longer *impose his will* upon the nation ; to be useful and great he must carry the nation along with him, he must be the representative and embodiment of its soberest and maturest wisdom,—not the depository or exponent, still less the imperious enforcer, of views beyond their sympathy, and above their comprehension. The nature of our government prescribes the qualifications of our statesmen ; to hanker after a different order of men is to pine for a different order of things.

There are several explanations of the inconsistencies in Sir Robert Peel's career more creditable to him than the one which his adversaries are disposed to adopt. But into these we cannot enter now. There is, however, one source of inconsistency in public men to which weight enough is seldom given out of doors, though all conversant with the history of cabinets must be conscious that it is one of the most operative and most inevitable. ‘It is not easy (Mr. Johnston thinks) to account, on patriotic grounds, for the maintenance of opposite principles within a few weeks, when the circumstances of the country have not materially changed.’ There may be, however, a more honourable explanation of this seemingly heavy charge than he is aware of. Men in public life, and more especially ministers in actual office, when new facts, deeper reflection, or stronger arguments, come to shake their previous opinions, and produce an incipient change, are placed in a position of singular difficulty. They can seldom retire or lie by till the inchoate operation is complete ; their position often calls upon them for constant action and perpetual speech ; in the meantime, they are obliged to conceal from the public the process which has just commenced, so long as it is imperfect and uncertain ; they must speak and act in accordance with their past, not with their future selves ; if they speak,

they must speak in conformity with the old opinions over which doubt is gradually creeping; if they act, they must act on the principles which they are beginning to abandon, not on those which they are beginning, but only beginning, to adopt. This is a hard and painful position; but we quite believe it is one which duty to their colleagues and their country not unfrequently compels public men to endure. Like other men, if they are honest, inquiring, and open-minded, they must inevitably find modification after modification coming over their opinions in the course of their career, as knowledge ripens, as facts develop, as wisdom matures. Yet, for a leading senator to be silent, or a chief minister to retire, every time he felt the warning symptoms of such an alteration, would be simply impracticable in actual life, though no doubt the most comfortable course for his own feelings, and the safest for his reputation. Thus he is, in a manner, obliged, by the requirements of his position, to make the best defence he can for his old course and his old principles, till his suspicion of their unsoundness has risen into a clear and settled conviction; and when, having arrived at this point, he conscientiously and suddenly avows the change, there is unquestionably, *prima facie*, a very dark case against him. We believe we have here indicated the secret of that course of conduct which brought down so much obloquy upon Sir R. Peel, on two memorable occasions in 1829 and 1846. We do not mean to affirm that it presents a full justification; but we do hold that it affords a fair and not discreditable explanation of many apparently sudden or too rapid changes in the opinions and the measures of public men.

With these remarks we close our notice of Mr. Johnston's work. It is a readable and well-written book, abounding with information of many kinds. Its faults are, a want of purpose, too manifest a disposition to decry the present and exalt the past, and too blinding a habit of looking at most questions,—whether they concern things or persons,—from a party point of view.

To this last objection we may be peculiarly alive, the party views not being our own.

- ART. II.—1. Evidence of the Right Hon. the Lord Advocate before Select Committee of the House of Commons on Irish Fisheries. (Session 1849.)**
- 2. Report from the Select Committee of the House of Commons on the Salmon Fisheries of Scotland, with the Minutes of Evidence. (Session 1836.)**
- 3. Report and Minutes of Evidence from the Select Committee of Commons on Scottish Salmon Fisheries. (1824.)**
- 4. An Inquiry into the Fisheries of Ireland. By HERBERT FRANCIS HORE. 1850.**
- 5. Report of Case before the Court of Session, Her Majesty's Commissioners of Woods and Forests versus Ernest Gam-mell and others. 1850-1.**

THAT the Salmon Fisheries of the United Kingdom form an important interest, and are in a state of decay or danger, are facts which everybody now believes, because ‘everybody says so;’ but, as regards the grounds of both assertions, all is utter vagueness and confusion. What is the actual importance of the fisheries, either as property or as a source of employment, and what is the amount or rate of decay, are matters scarcely even guessed at; while, as to what is causing or what will arrest the alleged decline, there have hitherto been almost as many opinions as there are interests or disputants. All this arises, not from any want of attention or inquiry; on the contrary, few questions have been subjected to more controversy, legislation, and litigation. The regulation of salmon fisheries forms a prominent clause in *Magna Charta**; was legislated for by Edward the First in England, and by Robert the Bruce in Scotland; has never since been long allowed to rest; has, during the last forty years, been stirred up almost every session by commissions, committees, or bills; is almost perpetually before the law courts in one shape or another; while of making books on the natural history of the salmon, there is no end, and (always excepting Mr. Shaw of Drun-lanrig†, the real discoverer or demonstrator) very little good. One of the causes of all this conflict and confusion is to be found in some natural difficulties of the subject—such as the scattered and isolated localities where many of the fisheries are carried

* Cap. xvi.: Nullæ ripariae defendantur de cætero, nisi illæ quæ fuerunt in defenso tempore Henrici Regis avi nostri, et per eadem loca, et eosdem terminos, sicut esse consueverunt tempore suo.

† See ‘Edinburgh Review,’ No. 78.

on, and the occult nature of the fish, whose habits can be but obscurely and occasionally observed during one half of the year, and are an entire mystery during the other. Out of this obstacle arises another. As in all questions where there is difficulty in ascertaining the facts or fixing the principles, sciolism plunges in where science is perplexed, and ‘practical men,’ with their few half-facts gathered from a merely local experience, are full of that dogmatism which on many subjects, certainly in the present, is exorcised from the inquirer in proportion as he extends and deepens his investigations. The varieties of nonsense about the salmon that have been published under the name of natural history, and poured down the throats of parliamentary committees, exceed all ordinary powers of belief. To read some people’s deliverances on it, they might seem to have collected their materials during a lengthened subaqueous residence. If, indeed, a deputation of these omniscient gentlemen, half zoologists and half piscators, could be induced to stay below water for a few months, going down, say in November, taking their seat where they could observe the deposition and development of the ova,—‘sitting under the glassy, ‘cool, translucent wave,’—accompanying their charge to the sea, and returning to their native element in autumn, saturated with information, they would then, but not till then, be competent to speak with the authority they now assume. There are obvious difficulties in the way of such a commission of inquiry; but, looking at the uselessness, and often mischievousness, of the dogmatising with which many people handle the question, one is almost tempted to say, there would be no harm in trying.

It does not follow, however, that because the question cannot, on almost any one point, be discussed with the benefit of full and precise data, it must therefore be let alone. By refraining from attempts to grasp the facts in their totality, and by directing our inquiries chiefly to such parts as from their extent and character may reasonably be considered specimens of the whole, we shall, we hope, reach such a position as to authorise at least some practical conclusion concerning the extent of the evil and the nature of the remedy.

In what follows, we shall confine our inquiries and remarks chiefly to Scotland; because, among other reasons, the Scotch fisheries are more valuable than the English or Irish, and at the same time admit of being more conveniently discussed. And yet, at the outset, we have to confess a failure in our endeavours to obtain what might have been expected to form the first item in our statement—some approach to the total value of the Scotch fisheries, as represented by the annual amount of produce, rent,

wages, or employment. Nor need the failure be wondered at, when the Irish Fishery Commissioners, who are salaried for the work, and possess powers and facilities for collecting information to which no private individual can pretend, are found saying, in their last Report, 'We have no means of obtaining 'an account of the aggregate annual value of the salmon fisheries;' and when the fact cannot be obtained, nor even approached, by means of anything to be found among the great mass of matter, on the subject of Scotch Salmon Fisheries, contained in Parliamentary Blue-books. Proceeding, however, by way of particular instances, we shall give the salmon statistics of two of the chief Scotch rivers as nearly as the jealousy of proprietors and lessees has permitted us to ascertain them, which is quite as near as is required for any purpose in which the public are concerned.

To begin with the Tweed (not including the rod fisheries, which produce but few fish, and will be dealt with separately):

Annual Rent	-	-	-	- £5,000
Wages (to 350 men)	-	-	-	- 4,500
Tear and wear	£	-	-	- 1,500
				£11,000
Produce last season, at prices of average of seasons: —				
7,500 salmon, at 8s. 4d. each	-	-	- £3,125	
30,000 grilse, at 2s. 1d. each	-	-	- 3,125	
43,000 trout, at 1s. 2d. each	-	-	- 2,508	
				£8,758
80,500				

Proceeding to give the same statistics in the case of the Tay, we must make two preliminary explanations. Not having been able to get reliable returns regarding that river later than 1846, and that year having been in some respects an exceptional year, we have assumed the produce according to an average of several years previous; and, in the next place, *trouts*, which form so large a proportion of the take of Tweed, are so rare in Tay as not to be reckoned at all: —

Rent	-	-	-	- £11,400
Wages (to 670 men)	-	-	-	- 8,600
Tear and wear	-	-	-	- 4,400
				£24,400
Average produce at average prices: —				
25,000 salmon, at 11s. each	-	-	- £13,750	
40,000 grilse, at 3s. 3d. each	-	-	- 6,500	
				£20,250
65,000				

It will be seen that in both these rivers the expenditure ap-

parently exceeds the produce; this, however, must not be taken as true to the extent exhibited by the above figures, which, it should be remembered, are given, not as showing the profits or losses of a given year or locality, but as a sort of index or specimen of the nature and extent of the salmon fisheries generally. And it must be understood, that the prices given above are those of an average of seasons, while the actual prices of 1850 were considerably higher,—also that in point of fact a very considerable loss was suffered last year by the lessees on both the Tay and the Tweed. We believe we may state the loss to have been, in the former case, about 2600*l.*, and in the latter about 1000*l.* This state of things is accounted for by two considerations. As a trading speculation, salmon fishing is enticing, because unsteady; each adventurer thinks that *his* ticket in the lottery is to come up a prize, although, as in the case of the old State lotteries, there is a loss to the purchasers in the aggregate. At the same time (and this is the very object of our present inquiry), the aggregate loss has of late years so much increased,—with, of course, a proportional diminution of the individual chances of success,—that the calculations of the speculators have been utterly defeated.

To the above returns for Tweed and Tay we might add statistics from several other salmon districts:—for instance, the produce of the Dee and Don, or rather of the coast adjoining them, may be taken as somewhat more than that of Tay, and the rental of the Spey and adjoining coast as about equal to that of Tweed; and we might mention that (in cases not included in the above references) a single Scotch proprietor was lately receiving salmon-rent annually to the amount of 8000*l.*, and a single Scotch tenant paying to the amount of 15,000*l.* But after we had detailed all the instances within our reach, the reader would not be appreciably nearer the national total of fisheries which invade everything that can be called river; sentinel at close, though irregular, intervals (we are speaking of Scotland), at least a thousand miles of coast; and the rents and produce of which are constantly in a state of fluctuation. The statistics we have given must suffice for the present. They indicate the nature and extent of the property and industry now in peril. We may add that, pound for pound, the value of fish of the salmon kind, even including trout of low price and low quality, is higher than that of any kind of butcher's meat; and that three salmon are worth more than the best sheep or pig. Then the salmon consumes nothing, but is, to use Franklin's phrase, 'a bit of silver pulled out of the water.' Neither let us forget that, dead or alive, the salmon is a noble fish—in form the very mould of elegance—in dress splendid, yet delicate—in habit

fastidious and gentlemanly — and at table a universal favourite. Moreover, it has to be kept in view that the figures we have given show only what *is* the value or produce of the rivers named, and not within a half or three fourths of what it has been, and may be again. Notwithstanding, therefore, that we have it not in our power to clinch the case by a statement of the total national value, yet the clear though partial glimpses we have been able to catch are enough to show at least that ‘the thing is worth looking after,’ — that it is worth while to inquire how far and why these fisheries have decayed, and whether means exist of saving and restoring them.

On the preliminary point which regards the extent and period of the decrease, the conclusions to which our inquiries lead us are these: — First, that to show the falling off in its real immensity, we must compare present returns, *not*, as is the popular belief, with the returns of twenty or thirty years ago, but with those of a considerably earlier period; — in the second place, that the change during the twenty or thirty years preceding (say) 1844, had been rather a shifting and deterioration, the fish being captured by new means and in new localities, and having declined in size and quality rather than in number; thirdly, that the last four, five, or six years do show, as compared with the immediately preceding period, a very considerable and a steadily continuous decrease. It is important to fix the real period of the decline, since a knowledge of it is obviously a condition precedent to getting at the cause.

1. On the first point — the comparative plentifullness of early periods compared with the present — it is, perhaps, less necessary to prove the fact than to guard against its exaggeration. There is a gross fallacy in the popular mode of illustrating the contrast, such as by pointing to the tradition that farm servants used to stipulate not to be compelled to eat salmon more than twice a week. People seem to forget that the number of mouths has at least doubled, and that, consequently, even if this represented, as it does not, all the increase of consumers, there would necessarily be a comparative scarcity, unless the fish had doubled too. But the mouths have not only doubled, they are incomparably more easily reached. In the old times, though there was a glut at Berwick and Perth, there might be a dearth at London, and probably an entire destitution in Nottingham and Derby. There is a story of a Highland laird of the last century going to a London hotel with his *gilly*, and from motives of frugality ordering a beef steak for himself, and ‘salmon for the laddie.’ On reckoning with his host, he discovered he had to pay one shilling for his own dinner, and two guineas for ‘the laddie’s.’ The state of matters correctly illustrated by this anecdote,

arose chiefly from the degree in which the slowness of conveyance affected a very perishable commodity; but also, from the methods necessary for keeping the fish in condition even for an hour or two, having then been undiscovered. Ice-packing was not introduced into Scotland till about 1788. Making all deduction, however, for exaggerations arising from neglect of these considerations, there is ample evidence that the actual decrease has been very great. We have procured several curious and authentic documents regarding the produce of the Tweed and Tay at the early periods with which we are at present dealing. One of these is an account kept from 1736 to 1818 of the number of fish taken in each year, at the most seaward and productive station on the Tweed. In the earliest years included in it, we find the number of salmon taken at this station to have varied from 1,500 to nearly 2,000; but in the recorded fact that in 'unfavourable years' the station was fished only partially, and sometimes not at all, we have evidence that these numbers could not be taken as the true measure of its productiveness. In 1748—the market having apparently improved—the number rose to 7,000; in 1760, to 9,000; in 1765, to 17,000; and went on fluctuating between 2,000 and 9,000 up till the latest year (1818) included, when the produce was 4,000. Last year—the proportion borne by that station to the whole river remaining unaltered—its produce, in salmon, was about 700! In 1814, the rent of the Tweed was 20,000*l.*; in 1823, 10,000*l.*; and for seven years preceding that, had averaged 12,000*l.* (Evidence of John Wilson, Esq., before the Commons Committee of 1824); it is now 5,000*l.* The number of boxes sent from Berwick tells the same tale; in 1804, 13,000 boxes (but this was the highest ever known); in 1816, 11,000; and the annual average between 1818 and 1820 was 8,000; but it has never since much exceeded 5,000; while in 1846,—and it is certainly no higher now,—it had sunk to 3000. The fisheries on the Tay above Perth Bridge took 11,300 fish in 1792; 10,400 in 1795; and, up to the year 1800, never took less than 5,000 in any one year;—their take is now about 1,500. Returns from almost all other rivers show similar results, including even those in the far north; for instance, the lower fishings on the Ness, which in 1796 rented at 1,095*l.*, now bring only 90*l.* It must be kept in mind, however, that some of these statements,—not, however, those relating to the number of boxes shipped,—are not available in their entirety as evidence of the gross decrease—the figures whose date is within (say) twenty-five years of the present time being more or less affected by the shifting of the fisheries, according to the next paragraph, as well as by the general decline.

2. Our conclusion, that, from the period just dealt with, down to a very recent date — say from 1817 to 1845, — there was no considerable decline on the whole, seems sufficiently established by the unquestionable fact that, with a consumption certainly not decreasing, prices did not materially alter. But we find a very different result when — leaving out of view the then new mode of fishing by fixed nets on the sea-coast — we come to look only at the old or in-river fisheries. The result of our inquiries on this point is, that within the period under examination, the produce of the Scotch rivers fell in no case less than a third. In some cases, as that of the rivers *debouching* along the Ayrshire coast, the decrease is stated by experienced and trustworthy persons at seven-eighths. This decrease was almost entirely in the adult salmon; — grilse (salmon on their first ascent), and trout (*salmo eriox*), partaking in the decrease much less, and in some cases not at all. The Tay returns show that up to about 1800 the number of grilse taken annually in that river was only half the number of salmon: — the proportions have of late been reversed, the salmon taken amounting to little more than half the number of grilse. The Table given below shows a similar change in the Tweed, and a still greater change as to the proportion of trouts. Reserving trout for separate remark, the lesson conveyed by the fact just mentioned as to the maintenance or increase of the number of grilse killed during a period when the take of older fish was rapidly diminishing, is, that by greater severity of fishing the average duration of salmon life was immensely reduced — a circumstance which, as we shall see, naturally told very heavily on the period which followed.

3. If fish are killed young, they will never live to be old, nor will fish multiply and replenish the waters if they are murdered before they are married; — ‘to that great truth a universe agrees,’ as Peter Pindar said of a much less important and dignified subject. To understand the full significancy of the growing disproportion between grilse and salmon, the reader must bear in mind that grilse are all the produce of one year, while salmon are the remnants of the crops, so to speak, of several years. The Tweed returns show that out of the whole number of the salmon kind captured, *four-fifths are killed on their first ascent, and of course before having ever propagated their species!* And of late we have been experiencing the inevitable effects. The five years ending with 1850, have been (taking all kinds together) the worst ever known. (See Table, p. 348.) Not only is this the case as regards the five years’ average (we are here using the Tweed for our instance); on examination every item and feature of the return shows

that the decrease is one proceeding from causes neither accidental nor temporary, but in gradual and general operation. The lowest of the five years is, even including all the three divisions of fish, lower by about 25 per cent than the lowest year ever before known; and each of the four last years is lower in salmon than any one year for 15 years preceding, and lower than any year save three from the earliest records! The significance of such a diminution of adult fish for four successive years cannot be gainsaid nor mistaken. And when we turn to the take of grilse or younger fish, by which the decrease in the adult fish has been hitherto in some measure compensated, and find that its amount in Tweed last year was *lower than ever before known*, and 50 per cent. lower than the average, we have grounds as sure as are attainable in the nature of things for inferring, that the decline which has been proceeding at an accelerating pace for several years past will, unless some new element come into effect, continue in years to come with even greater rapidity. We have returns from several other rivers corroborative of those from the Tweed. In the north of Scotland, indeed, many fishings, both river and coast, have been this season abandoned altogether. In Ireland also the falling off is great, almost universal; and a committee of fishery proprietors have been for several months engaged in trying to frame some measures fitted for the emergency.* We have here, it will be kept in view, been speaking only of the last five years as compared with the period immediately preceding; and have shown, we think, sufficient reason for fearing that this branch of industry has entered upon a decline, in meeting which boldly not a season more ought to be lost.

In illustration of what has been said, and of part of what will follow, and also as a document of interest and value even on points not embraced in this article, we print the following figures, being an abstract of an Account, kept with great care and from infallible data, of the produce of the Tweed in each year from 1811 to 1850 inclusive. In order to avoid particulars which might be thought to affect private interests, we restrict ourselves to quinquennial statements; but, both in what has preceded and what follows, we have referred to the returns for single years as often as was required for the purposes of elucidation. From one of the quinquennial periods, 1826—30, we have omitted a year, and given the *quadrennial* total. The

* For full information on the subject of the Irish fisheries, as well as for much curious legal, antiquarian, and miscellaneous knowledge regarding the subject generally, we would refer to the book of Mr. Hore mentioned at the head of this paper.

fishing of the omitted year, 1829 — whether, as some good people think, from the passing of the Roman Catholic Relief Bill, or whether, as is profanely said by those ‘who physically ‘causes seek,’ from the great drouth and bad breeding season of 1826, we shall not presume to decide — showed a decline so violently exceptional, so entirely unparalleled and unapproached either before or since, that to include it in the averages would be to a great extent to destroy their value. The difference between a year like *that*, standing alone and unresembled, and four successive years like 1847—50, indicating some gradual and enduring cause of decline, need not be pointed out. However, for the satisfaction of unsatisfied readers, we may state that, including 1829, the annual average of the period 1826—30, instead of standing as below, would stand — Salmon, 9,804 ; Grilse, 55,990 ; Trout, 48,864. With these explanations no further preface is required for what, in the great dearth of authentic information on the subject, appears to us a valuable table.

		Salmon.	Grilse.	Trouts.	All kinds.
1811-15.					
Quinquennial total	-	201,484	340,288	156,176	697,948
Annual average	-	40,297	68,057	31,235	139,589
1816-20.					
Quinquennial total	-	189,690	435,444	245,391	870,525
Annual average	-	37,938	87,089	49,078	174,105
1821-25.					
Quinquennial total	-	114,650	288,238	312,378	715,266
Annual average	-	22,930	57,647	62,475	143,052
1826-30.					
Quadrennial total	-	43,691	245,180	179,693	468,564
Annual average	-	10,924	61,295	44,923	117,142
1831-35.					
Quinquennial total	-	72,082	325,563	345,604	743,249
Annual average	-	14,416	65,112	69,121	148,649
1836-40.					
Quinquennial total	-	70,747	261,418	274,384	606,549
Annual average	-	14,149	52,283	54,877	121,309
1841-45.					
Quinquennial total	-	94,231	405,237	348,563	848,031
Annual average	-	18,846	81,047	69,712	169,605
1846-50.					
Quinquennial total	-	55,372	274,088	246,441	575,901
Annual average	-	11,054	54,817	49,288	115,159

We may add the following facts, picked from the fuller table. Out of the forty years comprised in it, there are only 6 in which salmon, trout, and grilse all increased as compared with the year immediately preceding ; 8 in which salmon increased and grilse decreased ; and 11 in which salmon decreased and grilse increased. We shall have occasion to refer hereafter to the most remarkable feature in the return—that, while formerly the annual take of salmon far exceeded that of trout, the trouts now exceed the salmon as four or five to one.

Having thus seen as closely and as precisely as the scarcity of materials will permit, and more so, we think, than has been previously accomplished, what have been the periods and what the extent of the decrease, we come next to the *causes*, actual or alleged, and after that to the *cures*. For it is a notable feature in the question, that to a great extent the cures do not consist in the removal of the causes. Some of the causes are irremovable or irremediable ; while, on the other hand, there are practicable and efficient cures, quite independent of the causes.

Beginning with the causes that are irremediable, we put first the *increase of land drainage*. The reader will understand that salmon do not incline to enter, nor even though they may have entered to ascend, a river, either when it is in high flood, ‘roaring ‘from bank to bræ,’ nor when it is dwindled and limpid, but when it is subsiding, and in some degree clarifying. Now, the effect of increased drainage—by which we refer, not so much to the drains of the arable districts, as to the open ‘sheep drains’ of the pastoral districts at the water sources—is to bring down the water more quickly, and in greater volume, and then to carry it seaward with greater rapidity ; thus making addition to the two extreme descriptions of water in which fish do not incline to travel, and making deduction from that happy medium which is their choice, and which is now, like Lear’s wit, ‘pared o’ both ‘sides till little is left in the middle.’ Taking Scotland generally, the average of the statements we have received as to the decrease in the period of what is called the ‘travelling condition’ may be stated at one-half ;—on the Tweed it has been considerably more. One consequence of this change is, that the fish are kept longer hanging about the mouths of the rivers, where, besides the numbers taken in the stake and bag nets, they fall a prey to their natural marine enemies ; and also, we would suggest, are likely, after repeated failures in gaining the fresh water, to dwindle and die—in the same way that they are known to do in the converse case of being prevented, at their appointed season, from reaching the salt water. We

believe, also, that the changes caused by drainage tend to an increase in the destruction of ova — the greater suddenness and violence of the flood washing the spawn away when in process of deposition, or even after its being covered ; the greater height of the flooded water tempting the spawning fish (which always seeks the shallows) to deposit its ova in higher and therefore more exposed positions ; and the lower and more rapid subsidence of the waters increasing such perils as desiccation and frost. Except the Inspecting Commissioners of Fisheries for Ireland, who some years ago spoke hopefully of the ‘expected ‘increase of drainage, with its consequent facilities for migration !’ no man doubts that what we have here been stating is accurate to a greater or less extent ; and the more a man inquires and watches, the more, we feel convinced, will he tend towards our conclusion, that this cause of decrease, whilst it is unfortunately irremovable, is also very considerable.

The next cause of decrease which we have to adduce is also beyond reach — the extermination, or almost extermination, of salmon in many rivers, through *obstructions and pollutions* consequent on the rise of population and industry upon their banks. In numerous small rivers, where fish were plentiful even since the beginning of the century, they have been exterminated ; and on some of the largest, such as the Thames and Tyne, they have dwindled to a fraction. The point, however, need not be dwelt upon. In this case, as in the preceding one, the particular evil is a general good, and equally irremediable ; — we cannot, for the sake of salmon, dispense with minerals and manufactures, any more than with improved corn fields and sheep pastures.

An alleged cause of decrease, to which we come next, is *the killing of spawning fish in close time*. This falls, in two respects, under a different category from the foregoing. Although a great evil, it is *not*, we shall try to show, a cause of the decrease, and it is capable of removal. Our inquiries in all parts of the country have corroborated us in the opinion, — for it is held by every man who has attended to the matter, — that this destructive practice is not new and increasing, but old and diminishing. It is plain, therefore, that we cannot ascribe an increased and increasing effect to a diminished and diminishing cause. But, though this practice cannot account for the decrease in the number of fish compared with former periods, it is no less true that it is a great evil, the suppression of which would bring about an improvement on our present returns. It is, indeed, to the diminution of this practice of late, that we chiefly ascribe the fact of the supply of grilse or young fish having been so well maintained during the last twenty or thirty years, in spite of the increased severity of

the fishing which is shown by the rapidly diminishing numbers of the fish allowed to reach the ‘salmon’ stage; and (to anticipate a little) it is in this quarter that we hope to find a chief and certain means of remedy.

Another cause alleged for the decrease is *the brevity or mistiming of the close season*. It is certain, that both legislation and opinion on this point are jumbled and inconsistent. There are three different close seasons in Scotland — for the Solway (with several differences for the different waters *debouching* in that estuary), for the Tweed, and for the rivers north of Tweed; but there is no doubt that the last classification especially applies one rule to rivers differing very widely in the habits of their fish in respect to season. As a Highland laird very aptly expressed it to a Parliamentary Committee, ‘To prohibit early rivers from ‘beginning till late ones are ready is as sensible a plan as it ‘would be to prohibit the farmers of England from cutting their ‘crops till the harvest was ready in the Highlands.’ At the same time, the point is surrounded with difficulties; and from the endless diversities of opinion regarding it, and regarding various legislative alterations which have been made of late years, we are inclined, (though of course holding generally that an earlier closing would increase the breed,) to suspect that the importance of the matter has been exaggerated. Before we have done, however, we intend to propose some alterations on the subject of the close season, proceeding on a new principle, though aiming at the same result — the general increase of the breed.

We come now to what we consider the chief cause of the mischief. It is, to express it in the first place roundly, OVER-FISHING. This over-fishing has been of two kinds, and to some extent of two dates. In the first place, by the old and ordinary mode of net-and-eoble, in the lower or nettable portions of rivers, — which brought about the earlier of the two declensions above exhibited; next, by the comparatively new mode of stake and bag nets on the coast, — which, co-operating with the continued overworking of the former system, has mainly produced the more recent and still continuing decline.

First, as to the diminution caused through the over-fishing by the old or ordinary modes. That the efficiency or severity of the fishing would increase as the demand and the prices rose with the advance in population and means of transport, might be expected. One piece of evidence that the work was overdone, — that the killing was going far ahead of the breeding, — before any blame could be imputed to fixed or standing nets, will be found in whatever portion of the Tweed statistics given above

is of older date than 1824. And the facts from Tweed we have found to correspond with those from other rivers.

Some peculiar circumstances in the history of the Tay furnish us with demonstrative evidence of the serious consequences of an increase in the frequency or efficiency of net-and-coble fishing. About 1835, there came into operation an Act, called the Tay Navigation Act, one effect of which was, by the removal of obstructions, to give, on the whole, increased facilities for the working of the nets on the fisheries within tideway. The following abstract of a return regarding the fisheries of two proprietors, generally reckoned as possessing one-half of the entire fisheries of the tideway, show the result (although the whole change cannot be confidently ascribed to the Navigation Act, the four or five years ending 1830 having, from some natural causes, been years of low produce in almost all the chief Scottish rivers): —

Ten Years (1825-34) before Navigation Act.

		Salmon.	Grilse.
Greatest year	-	9,731	18,071
Smallest year	-	3,920	8,622
Total of the ten years	-	67,151	128,188
Annual average	-	6,715	12,818

Ten Years (1836-45) after Navigation Act.

		Salmon.	Grilse.
Greatest year	-	12,123	24,603.
Smallest year	-	4,704	8,070
Total of the ten years	-	85,899	133,346
Annual average	-	8,589	13,335

So far so well. But take the fishings just next above those; which, from being beyond the tideway, and above Perth Bridge, did not partake in the benefits of the Navigation Act. In the same period during which the two tideway fisheries, by their improved working, had increased as the table shows, their neighbours next above had suffered a decrease (we have the figures, but need not trouble the reader with them) of nearly fifty per cent.! This shows what increased efficiency in the use of the net-and-coble *can* do, and indicates what it actually did, without aid from the fixed nets, in decreasing the number of fish previously permitted to ascend and breed.

It is impossible to leave this part of the subject without making mention of the dishonourable practice lately adopted on many net-and-cobble fisheries, of retaining and sending into consumption the Spring *kelts* or spent fish. These, which formerly used to be returned to the water, are now sent to the markets of the large inland towns where people are ‘no judges.’ Leeds,

for instance, seems to have quite a passion for unwholesome fish. It is well known that at least 5,000 of these wretched invalids were sent last season from the lower fisheries of Tweed. The law which prohibits unwholesome flesh should afford the same protection as to fish.

In coming to the second species of over-fishing, — fishing by fixed or standing nets, — we come to the chief culprit; and think we have got evidence against him, both curious and conclusive.

Fishing by stake and bag nets (the former being a species of net hung on stakes driven into the beach, with the cells or traps a little beyond low water, and the latter being a species kept stationary by anchorage, and ordinarily reaching some hundreds of feet beyond low water) is an invention only about twenty or thirty years old, as regards at least the principal salmon districts of Scotland; while, as regards England and Ireland, it is of still more recent date. It is not only novel, — it may be said to exist only through the omission or ignorance of the Legislature. The chief aim of legislation on the subject, both in England and Scotland, from *Magna Charta* downwards, has been to prevent the raising of ‘standing-gear’ in ‘the run of the fish;’ but this prohibition did not extend to the sea-coast, partly, perhaps, because that was not then known to be ‘the run of the fish,’ and partly because no sort of engine had at that time been invented capable of standing and acting effectively in the open sea. It has since, however, been discovered,—and most diligently has the discovery been put to use, — that the sea-coast is almost as much the course of the fish as is the channel of the river or estuary. The salmon returning to the fresh water does not lie off in mid-ocean, and then, as with a needle and compass, steer right into the river’s mouth. It feels, or, as Sir Humphry Davy expressed it to the Committee of 1824, *scents* its way along the shore for many miles. The distance from the river of which they are in search, or from any river, at which salmon begin, in nautical phrase, to ‘hug the shore,’ is greater than seems generally believed even by those who have paid some attention to the subject. A sail along almost any portion of the coast of Scotland,—say that long stretch from Buchanness to Fortrose,—will show that the shore is draped with salmon nets, with very little regard to the neighbourhood or distance of a river. To take a single illustration, we see in our mind’s eye (but of course we speak of an actual case) a line of coast running out into a bold promontory, then trending inwards to form a bay five miles indented:—in the inmost corner of that bay stands a productive stake-net fishery, although there is at the place no

run of fresh water which would afford passage to a minnow, and no salmon river *debouches* within sixty miles. Here (and the fact is one of a multitude) it is proved that in the absence of any contiguous river, the salmon not only keep the shore, but follow its deepest and most sinuous indentations. The fact has been at last recognised by the Legislature in a recent act (7 & 8 Victoria, cap. 95.), which prohibits any but the proprietor of the fishery from taking salmon 'in any part of the sea within a mile of low-water mark, in Scotland.' This recognises the fact of the fish following the shore, but leaves unrestrained the misdoings, or (what in this case is the same thing,) the over-doings, of those who have taken such merciless advantage of the privilege they (we may say) accidentally possess.

In proving the destructiveness of fixed nets, we shall confine ourselves chiefly to two pieces of evidence, differing, as will be seen, in their character, but both leading clearly to conviction. Owing to legal doubts as to the precise nature of the localities in which standing engines were prohibited by the old Scotch statutes, fixed nets were erected in the Firth of the Tay in 1799, and, after much litigation, were finally declared illegal in 1812. The following figures—being an abstract of returns for two fisheries forming in value a half of the whole river, and situated immediately *above* the highest of the fixed-net fisheries,—tell their own story very forcibly:—

Ten Years (1788-97) before Stake-nets.

	Salmon.	Grilse.
Greatest year - - - - -	18,069	3,396
Smallest year - - - - -	7,372	586
Total of the ten years - - - - -	108,747	22,107
Annual average - - - - -	10,874	2,211

Ten Years (1801-10) during Stake-nets.

	Salmon.	Grilse.
Greatest year - - - - -	14,845	4,756
Smallest year - - - - -	4,003	1,390
Total of the ten years - - - - -	66,990	24,300
Annual average - - - - -	6,700	2,429

Ten Years (1815-24) after Stake-nets.

	Salmon.	Grilse.
Greatest year - - - - -	22,495	16,755
Smallest year - - - - -	6,266	6,142
Total of the ten years - - - - -	113,168	112,204
Annual average - - - - -	11,316	11,220

These facts speak for themselves, or rather against themselves. The number of salmon taken at these two stations, forming, as we have said, one-half in value of the whole fisheries of the

Tay, was reduced one-third by the erection of stake-nets at the neighbouring fisheries, and again reached and greatly overpassed its former amount on their removal. The rent, it need hardly be observed, altered accordingly. In addition, we may mention that the number of boxes (each box containing about 100 lbs. of fish) shipped from the river fisheries of the Tay in 1812, the last year of the stake-nets, was 1,175; in 1819, after they had been completely removed, 5,694.

It may be said, that these were stake-nets in an illegal position, and therefore not furnishing a fair criterion. Without leaving the same river, we can adduce other facts not open to this cavil. After the suppression of the nets in the estuary in 1812, they began to be erected on the open or ocean-coast of Forfarshire about 1819, and were in effective numbers about 1825. With what result? On the two extensive fisheries which we have been using for data, the take fell nearly half in the ten years following, sinking to a very little more than the amount to which it had been reduced during the operation of the stake-nets *in the river*. The number of salmon taken annually at one of those two fisheries had never been less than 10,000 for four years previous to the erection of the fixed nets on the coast; it has never once reached that number in the thirty years that have elapsed since. And, notwithstanding the increased productiveness of a portion of the net-and-coble fisheries occasioned by the Navigation Act (as shown above), the total river rental is at present one-fourth less than it was before the erection of the stake-nets twenty or forty miles off on the sea-shore. These facts go a long way to establish that fixtures on the shores are not much less effectively in the run of the fish than fixtures in the rivers. And we have even less exceptionable evidence to the same effect.

A local bill, called the Tweed Act, passed in 1830, prohibits all 'bar-nets' within five miles south, and four miles north of the river, which has the peculiarity of having no estuary, but changing at once from river to ocean. Passing over some attempts to erect fixed nets within these limits, by taking advantage of the looseness of the phrase 'bar-nets,' we go on to state that there are not any fixed nets in the Tweed district, except beyond the limits mentioned. Yet the number of salmon and grilse taken in two small clusters of nets, occupying only a few yards of beach, and removed along the open shore of the German Ocean five miles from the river, and from any run of water or indentation of coast indicating its neighbourhood, has been, on the average of the last four or five years, as closely

as we can get at the figures, one-half of the whole number taken in Tweed !

It will be observed that our statement regarding these fixed nets on the Tweed coast omits mention of trouts — and thereby hangs a strange, but, on examination, significant fact. On an average of the last twenty years, the number of trout taken annually in the river has been about equal to the take of grilse, and about four times the take of salmon : in these coast nets, on the contrary, the take of trout only reaches about a ninth of the take of grilse, and a fourth of the take of salmon. In other words, the net-and-coble takes three or four trouts for every salmon, while the fixed nets take three or four salmon and nine or ten grilses for one trout. The local fishermen explain the disparity by a difference in the habits or instincts of the two species of fish. The salmon or grilse, when he strikes the leader of the standing net, follows it out into the trap or chambers ; the trout — whether it is that he is naturally more acute, or that, though of smaller size, he is ordinarily of greater age, and therefore of more knowledge of the world, even the fishermen cannot tell — flies, not *along* the leader, but *back* from it, and so greatly increases his chances of escape. Now, look at the above table of the produce of the Tweed from 1811 downwards, and it will be seen that the average proportion of trouts to salmon, during the earliest quinquennial period comprised in it, was as three to four ; in the latest quinquennial period, as more than four to one ! In the first year included in the return (and which we have ascertained to have shown the same proportions as several years preceding it), we had 38,500 salmon to 12,400 trout : in the last year, 48,000 trout to 7,500 salmon ! This immense change in the proportion between the kind of fish that the fixed nets spare, and the kind that they capture, is of obvious, and we might say, terrible significance.

In farther illustration of this curious and important point, we give the proportions of all the three divisions of fish, taken respectively by the shore and by the river fisheries in the Tweed district, calculated on an average of seven years. For every 100 salmon, the shore takes 313 grilse, 34 trouts ; the river, 438 grilse, 333 trouts. For every 100 grilse, the shore takes 32 salmon, 12 trouts ; the river, 23 salmon, 76 trouts.

The facts procured by the Committee of Irish proprietors at present sitting (of some of whose documents we have been favoured by an inspection), are strikingly demonstrative of the rapidity and certainty with which fixed nets reduce the number of fish in whatever locality they are erected : and the Committee, although fairly representative of the general interests, have re-

solved to go to Parliament, praying, on that evidence, that this species of fishing may be placed under new regulations and limitations.

It is worth noting of fixed nets, that in proportion to their destructiveness, they afford very little employment to labour. Compared with sweep-nets plying on even the best stations, half the number of men will work an equal number of nets, and take three times the number of fish. On the other hand, the annual tear and wear for a fixed-net station is very considerably greater than for a net-and-coble station.

Another fixed engine called a crive requires mention, though a brief one will suffice. It is a wall running across the river, with the intention, or rather pretence, of taking only fish of about ten pounds weight, letting the smaller pass, giving a free passage to all on Sundays, and giving all a *chance* during floods. In practice, however, these engines take almost all the fish their proprietors choose to take. But, though exceedingly destructive, they are not very numerous, and cannot increase, existing as they do only by ancient prescription; and we dismiss them by remarking, that, when the Legislature comes to deal with them, it may not find even their proprietors much disinclined to listen to reason, as many of the proprietors, though only on the most disastrous evidence, have of late years been brought to the conviction, and even to acting on it, that these engines are wasteful and self-devouring.

And now we come to the grand question of *cure*. The chief cure we propose, the one to which all the rest are only supplementary or subsidiary, is simply this, *Allow more fish to be bred*.

When we look at the circumstances and the localities in which salmon are bred, and those in which they are killed, the wonder seems to be, not that the supply of this noble fish should be so rapidly diminishing and deteriorating, as that even its immense natural powers of reproduction should have hitherto been able to prevent its absolute extinction. The seed is sown above, and the harvest is reaped below. Those who sow do not reap, and those who reap do not sow: — what then more natural and certain than that both processes should be performed ill? There is too little sowing, and too much reaping. Those on whose land or in whose waters the seed is sown say, ‘The fish are never allowed to reach us till the law prohibits us from killing them: why should we incur trouble, expense, and offence, for the benefit of the very people who do their utmost to intercept what nature sends us? — let the poachers work their will.’ Those who reap say, ‘The people above will take no care of

'these fish; let us by any means capture all we can, careless of the future,—it will last our time,' that time being seldom so much as a five years' lease. And so, between these two operations — between a careless and wasteful seed-time, and a rigorous reaping and gleaning — the crops are becoming poorer and poorer, and the harvest-grounds hastening to absolute sterility.

The course taken to counteract these evils, has consisted of attempts on the part of the reapers of the harvest (to continue our illustration), by taxing themselves, to carry out a vicarious superintendence of the seed-sowing. But this device is exceedingly costly and very ineffective. Thus, on the Tweed, a river of average natural circumstances, and regulated by a stringent special Act of Parliament, the proprietors pay 20 per cent. of their rental for this purpose, with what trifling effect is known to every man throughout the far-spreading districts from which the Border river gathers its waters. In the main stream, and in its multitudinous tributaries, thousands upon thousands of fish are slaughtered every winter in the very act of spawning. And how could it be otherwise? The whole cavalry of the British army constantly on the canter — and it would take a good deal more than the whole of the Tweed rental to maintain *that* force even during close-time — would scarcely be effective to watch a river having a main stream of a hundred miles, and innumerable tributaries and sub-tributaries, hidden in the most sinuous recesses of the Southern Highlands, so long as the people on the banks have not only no interest in preventing mischief, but are actually or by collusion themselves the perpetrators. The remedy is plain. One proprietor or farmer interested by getting a share of the produce, would be worth a troop of dragoons. The concession on the part of the lower proprietors which would purchase this invaluable assistance, is, as we shall show, not only exceedingly trifling in amount, as well as being morally an act of honesty and fair play; but would in the end, and even in a season or two, amply repay those proprietors for the degree of partnership they might thus concede.

We admit at once the argument, sure to be thrown up in our way, that salmon taken in or near the sea are the best for food. Although honest — but, as regards salmon, utterly ignorant — Izaac Walton has stated, 'It is observed that the farther they get from the sea they be both the fatter and better,' we admit that his statement is just the reverse of the fact. A fish in maidenhood is more wholesome than a fish tending towards the family way. But then, for the propagation of the species, it is absolutely necessary that a certain proportion should be allowed to get into the

latter condition. Doubtless, a wether, or an unmarried ewe, makes the best mutton; but if there were no rams and no breeding ewes, there would soon be no mutton at all; and if, in haste to be rich, every farmer were to kill every succeeding year all the sheep and lambs he could lay hands on, without thinking how the stock was to be kept up or reproduced, we should soon have in sheep something like what has been going on in the case of salmon. But there is no actual parallel in recklessness and wastefulness. If any proprietor used game as every proprietor uses salmon, 'shooting down the hens,' and not letting one head escape which by any means, fair or foul, he could possibly destroy, nobody can doubt the sure and early result. And yet, to make even this a parallel to the case of salmon, we must suppose that, in addition to his own reckless slaughter, the proprietor had no ground on which game would breed, and nevertheless so acted as to make enemies of those on whose grounds they did breed, and who had the eggs and the young at their mercy.

There is, however, a self-curative tendency in such doings, and it has begun to work. The produce and rents of sea-shore as well as of river fisheries have, during these two or three years, been falling rapidly, and not a few have been abandoned altogether as no longer profitable. Take, for instance, the north-west coast of Sutherland. Bag-nets were introduced there about twenty years ago: for the first half of the period which has since elapsed they prospered splendidly; during the later half they have fallen away to worthlessness. In the season of 1839 they produced upwards of 16,000 salmon; in the season of 1850, although the number of bag-nets on the same extent of coast had been doubled, they produced only 1300: in other words, they have sunk to a twelfth, or, allowing for the engines of capture having been doubled in number, to a twenty-fourth. These nets, which paid an annual rent of 900*l.* to the Duke of Sutherland, have this season been entirely abandoned. The Duke of Richmond has also this season thrown out of use a large portion of his fixed nets on the coast near the Spey. To take one more instance out of many at our service, the net-fisheries (principally fixed) at the mouth of the Ayrshire Doon, have within these few years fallen two-thirds. In facts like these lies no small part of our hopes of remedy. So long as the lower proprietors, especially shore proprietors, were thriving at the expense of their neighbours, and in spite of the diminution of fish, entreaty and warning were of little use; but there are hopes of reason and equity being listened to now, when these same proprietors

are being made to feel that they have been committing slow suicide, or, to use a stable phrase, ‘eating off their own heads.’

The law, however, must apply and enforce the cure. To wait till it be resorted to under voluntary mutual arrangement, would be to wait till human nature had become wise and pure. We would have the law deal, not alone, but first and chiefly, with the fixed nets. Remarks will be made not applicable to anything we have to propose, though proper enough in themselves, as to the difficulty and delieaey of dealing with property. We offer three answers:—First, a great many of those nets, even in a strictly legal view, are *not* property, but have now been declared by the law to be the reverse of property — that is, encroachment and usurpation. The Commissioners of Woods and Forests have recently brought the case of these encroachments before the Scotch law courts. The question is not, the reader must understand, whether fixed nets are legal on the sea-coast, but whether salmon fishing can be carried on there by any engines, except on ground holding charter for that purpose from the Crown. The Woods and Forests took the case of a Kincardineshire landed proprietor, who had erected a salmon fishery in the sea *ex adverso* of his land, though possessing no charter. The words of the summons are ‘That all the salmon fishings round the coast of Scotland, and in the estuaries, bays, and rivers thereof, in so far as the same have not been granted to any of our subjects by charter or otherwise, belong to us *jure coronæ*, and form part of the hereditary revenues of the Crown in Scotland.’ This principle was confirmed a few weeks ago by a unanimous decision of the Scotch judges. Begin, then, we say, by getting rid of such portion of the Scotch coast fisheries as are thus declared not to be private property in any sense whatever. In the seeond place: Even those coast fisheries which are chartered and legal, have been, so far as regards fixed nets, property formed out of the destruction of other property, and to a great extent through omission or ignorance on the part of the Legislature. We have already seen how they originated, and how invariably, as they arose, the other and older fisheries on which the law had laid its restraining hand, dwindled away; but by way of refreshing the reader’s memory, we may here add an instance not before used. Fixed-net fisheries, drawing in late years an annual rental of 4000*l.*, have sprung up within twenty years, out of almost nothing, on a small portion of the coast at Aberdeen; and in the same period, the value of the Dee and Don, the rivers in which are bred all the fish supplying these coast fisheries, has sunk at least three-fourths. And all the while that this transference has been going on, the losers have

in many cases been actually paying, over and above their losses, for the benefit and encouragement of the gainers. The Tweed proprietors, for instance, are mulcted of one-fourth of their rents for the protection of fish, one-third of which are taken by their new rivals on the sea-shore, who contribute not one farthing. Lastly: What we propose is not of the nature of a permanent diminution of the fixed-net fisheries, but will work, if not actually for their ultimate augmentation, at least for their salvation from the destruction obviously coming upon them.

In suggesting how the fixed nets should be regulated so as to fish less merelessly, we are met and encouraged by the fact that they at present possess as to time an actual advantage over the older and less harmful modes. The latter are *out* from Saturday till Monday; the former never cease from evil through the entire season. To those who have little the law gives less; to those who have much the law gives more. The Commons' Committee of 1836 asked a witness, 'Do you ever hear any objections on the part of the clergy against breaking the Sabbath by fishing those nets?' and the answer was, 'No.' Not the only evidence on record that the clergy, in the matter of the Day of Rest, are very apt to leave undone what they ought to have done, and to do what they ought to have left undone. If all men were honest, there would be no difficulty whatever in stopping the working of fixed nets for any specified portion of a week; bag-nets can be rendered inoperative by merely slackening a rope which may be fixed to the dry beach; and stake-nets, though in stormy weather there might be some difficulty in setting them off work at a fixed hour, can be easily disabled at the time of low water. But there is an insuperable difficulty in this: — as almost all the visible parts of the nets would still be left in the water, it would take a practised eye constantly on the alert to know whether the fishing was going on or not. In these circumstances, the favourite idea of compelling the sea-shore fisheries to shut at least as many hours per week as their neighbours, must, we fear, be abandoned as impracticable. There is, however, an obvious and superior alternative. These nets are removed altogether — leaders and chambers — during the close time. Let *their* close time be lengthened. This would not only get over the difficulty just mentioned, but would be more powerful for good, by removing also the leaders, which, though without the chambers they can *catch* no fish, have yet a pernicious effect in frightening and dispersing the shoals. The extent to which this restriction should be carried (the Committee of Irish Proprietors propose only fourteen days) is a matter

of detail on which we cannot here enlarge. But we would say at once, that the season at which the curtailment should be made ought to be autumn, not spring. The fish got in spring by the fixed nets (for they do not, to any extent, capture spent fish, or kelts, who on their return to the sea seem to run straight outwards from the river mouth, shunning the shore) are, though few, high-priced and clean; those taken in autumn, though many, are low-priced and foul.

If some measure of this nature were applied to the fixed nets, the net-and-coble, to which part of the decline has been traced, could not hope to be left unregulated. For reasons already stated, we would decline to make any proposal as to altering their yearly close time; but we would accomplish the same end more simply and as effectively by adding to their weekly close time. Our proposal is, that in addition to Sunday, the fish should, in the case of river nets, be allowed a clear run up on (say) *Wednesday*. If it be objected that this is reducing those fisheries to the extent of a sixth, we reply, first, that the proposal is made only as part or sequel of a proposal to curb sharply the great rivals of the river fisheries; and next, that it is fitted ultimately for their benefit, and to put a stop to that reduction which for a series of years has sometimes amounted to a sixth annually.

The fact, that if more fish were bred there would be more to be killed, we assume as undeniable. It is to such improvement as has of late years been effected on this point, that we must ascribe the long-continued supply of the younger fish already remarked on. As it was put to the Committee of 1836 by a stake-net tenant paying 15,000*l.* a year of rent, ‘There are now ‘more fish bred, and they are killed at an earlier age.’’ Or take a converse case: — the Nith, in Dumfriesshire, has been left unprotected, and its salmon have now become all but extinct. The lower proprietors, however, themselves acknowledge the fact, by expending, as we have seen in the case of the Tweed, much money in ineffectual attempts at protecting the breeding. The real question is, how and by what concession the upper proprietors can be made interested in performing this office. We do not think the answer difficult. Owing to the great demand for rod-fishing of late years, the passage upwards of an utterly insignificant portion of fish is capable of creating a valuable upper or rod-fishery. We give one or two illustrations out of many within our knowledge. The rivers Lochy and Spean, entering the sea at Fort William, after having been exhausted as net fisheries, have been let for the rod at an annual rent of 470*l.*; and the number of fish caught last year was 137! The assessed amount of rental of the rod-fishings of Tweed, a pro-

perty that may be said to have come into existence within about twenty years, is upwards of 1,000*l.*; but as such of them as are used by the proprietors themselves are assessed, not at what they would let for, but at the profit which their produce would sell for, and which seldom amounts to a tenth of the rent that would be paid by sportsmen — the real letable value of the whole we put down, from data in our possession, at not less than 2,000*l.* per annum. On careful inquiry, we learn that the number of fish killed last year in the water thus worth 2,000*l.* a year did not reach 700! The price of these fish in rent alone, exclusive of the heavy expense of keepers, boats, &c., may be set down at 3*l.* each! Even in a year of small capture, 100,000 fish taken in the river nets produce a rent of only 5000*l.*, or one shilling each! For every shilling's worth, therefore, that the lower proprietors allow to pass, they give the upper proprietors 3*l.* worth of interest in protecting the breed.

The plans we have proposed, however, though they, or something like them, are necessary steps towards the end sought, will not fully attain it. Besides letting more fish up, we must give the upper proprietors time to kill a few. This principle has already been recognised by the Legislature, in keeping open the rod-fishing season on some rivers for two or for three weeks after the net-fishing is shut; the object being, as expressed by the Committee of 1836, ‘to interest in the improvement of the fishery the heritors upon the upper parts of the rivers, who chiefly possess the opportunity and power to protect the fish during the breeding season.’ Nothing can be more sound in principle; but it is found that the chance of continuous floods during the days of grace are so slender as not to give the proprietors, on whose grounds the fish chiefly breed, any interest whatever in the matter. We have seen that on the Tweed an enormous rent is given for every ‘cast’ where there is any reasonable chance of getting a few straggling fish during the present open season; but, nevertheless, at this moment by far the greater proportion of the fish spawn on ground which pays no rent, and which, therefore, nobody takes care of. Now, we have what may seem a bold, but what we maintain to be a safe and a tolerably certain, project, for conferring without cost an interest on the proprietors of the chief spawning grounds. It is to *legalise rod-fishing all the year round.**

* In the course of drawing up this paper, we learned that we had been forestalled in this proposal by an article contributed to the ‘Scottish Journal of Agriculture,’ in January, 1847, by Mr. John Younger, St. Boswell’s. That article is worthy the attention of

In explanation of this seemingly paradoxical proposal, we must call to mind, in the first place, that unless the proprietors of the higher and chief breeding grounds are allowed to kill in the present close time, they are not allowed to kill at all, and consequently their services in protecting cannot be obtained. The fish do not much incline to push up to the higher reaches of the river until after the present open season ; and, though they did, the nets would intercept all but a mere fraction of them. Next, it is an entire mistake to think that fish in the act of spawning will be killed by the rod as they are now by the net and leister. A fish on its *redd* will not take a lure, and lies in water where every angler knows it would be hopeless to cast a line. The fish taken by the rod in winter would be taken in the same haunts and in much the same condition as those killed by the rod in the same reaches of the river during autumn — that is, waiting and resting in streams and deeps on their way to their spawning beds. So soon as they lie down to spawn, the angler's chances end, and (under the present system) the poacher's certainties begin. For it must be kept in view that the choice is not between rod-fishing and no-fishing, but between rod-fishing and a species of fishing a thousand times more destructive. As things stand, the man who respects the law is prevented taking a fish by the rod, and therefore does not trouble himself about the multitudes who have no respect for the law, but who go out under night, and from one stream, and at one haul of the net (we speak facts), sweep off forty fish in the very act of spawning. In a word, what we propose is the substitution of a species of winter-fishing under which the slain would count only by scores, for a species under which the butchered count by tens of thousands.

In part payment for this favour to the upper proprietors, we would prohibit, for all seasons, the butcherly and destructive practice of spearing, thereby making a leister for salmon as illegal and as disreputable an instrument as a snare for pheasants. We would also put down what are called *cairn* nets, i. e. nets fixed to small *piers* standing out from the river bank.

inquirers, displaying (though we think John a little *twisted* on one or two points) thorough practical knowledge, and no small power of vigorous thinking and writing. Mr. Younger (whom some readers may recognise as having played the part of *lion* for a brief period last year in London, under the auspices of Lord Ashley), though filling no higher station than that of village shoemaker, is intellectually a man of mark, and well known to the residents and many of the visitors of his own loved Border land, as a fine specimen of sturdy Scottish intellect and character.

But the chief payment the upper proprietors would make, and it cannot but prove ample payment, would be, that for their own interests they should check the present wholesale slaughter of the breeding fish, a service which they and none but they have the means of performing.

Such, then, are the remedies which we maintain would be effective; but for persons who are unsatisfied, or despairing, because of the difficulties of effecting re-adjustments where the interests are complicated and partially conflicting, we have an alternative bold but sound. We have tried to show modes of unloosing the undeniable entanglements of the question — we now suggest a mode by which they may be cut.

We hold that the whole system of salmon fishing, whether by fixed or moving nets, proceeds on a false plan, bequeathed from times when circumstances were quite different, and that it performs expensively and ill what might be performed cheaply and well. Our radical reform is this, — to erect or work in each river, at such place or several places as might be most suitable, some engine which shall, with alternations properly regulated, take every fish which ascends to it, or allow all to pass, dividing the produce among the proprietors of the present fisheries in such proportions as shall be ascertained to be equitable.

That such an engine is quite possible, there is no doubt. Indeed, the whole aim of legislation hitherto has been to prevent the erection of anything resembling it. Keeping, then, this fact in view, how foolish and wasteful the present system appears when scrutinised! The salmon does and must travel for the whole extent of his fresh-water journey along a road, so to speak, of a few yards wide. At any part of that road we can erect a bar or pit-fall, by which we can, when we wish, infallibly catch him, or through which, when it suits our end, we can let him pass unmolested. But instead of that, we prohibit all such bars; and set some hundreds of men at some scores of stations to make shots at him as he darts past, shooting, too, be it remembered, in the dark! There is nothing analogous to this to be found anywhere, keeping in mind that the killing is for profit only. It is as if a warrener should come among his rabbits with hundreds of beaters and terriers, instead of quietly placing his traps at the mouths of the burrows. Nay, that is but a feeble similitude; for there are hundreds of holes in the warren, and but one passage in the river. Although salmon-netting is not performed for sport, it really amounts, when examined and described, to a very costly, unnecessary, and unamusing fish hunt.

Let the reader descend with us for a few minutes into the

German Ocean, somewhere about Holy Island, and accompany a short way an individual of the species *salmo salar*, on his return, after months spent in the deep hiding-places where neither human eye nor human knowledge has ever yet been able to follow him. And who can regard him without interest! He is on his first return to his native place, far up in 'bonnie 'Teviotdale,' or among 'the dowie dens of Yarrow;' and (which is more important to the present subject of discourse), he is on his marriage jaunt. But he is in haste,—and so are we. Onward he goes, with a rush and a bound. Bump! he has run on the first of thirty standing nets which festoon the beach of Goswick. By extraordinary good luck, he gets past the traps, and out among the waiting seals and porpoises. After a sharp run, this fortunate fish escapes into the mouth of the river,—and whiz! goes a net before his nose, ere he has enjoyed two minutes of the fresh water. During his first hour's possession of his new element, or three miles' progress, the same attempt has been repeated somewhere about a score of times. A change in the sport is then offered for his amusement. The shooting is no longer done at random, and he sails upwards thinking he has left all the fun behind; but chancing in his careless happiness to show a fin or make a ripple in passing a 'ford,' a resounding 'Pow!' (which is the Berwick or Northumbrian euphonism for *pull*), proceeds from the watcher, and a boat's crew, rushing from the shieling, shoot a net right across his passage, beyond him and around him. Again, let us imagine him in luck, and to pass in this exhilarating manner upwards of fifty stations, each of them with two nets, to say nothing of some ninety cairn nets, which, at every spot where he is likely to seek rest, are set up for his reception. This brings him and us as far as Coldstream Bridge, where we shall leave him to cleave onward to new dangers, for he is only 'saved to-day, to-morrow to be slain,'—to fall by the rod of a Duke at Kelso, or (which is at least quite as likely) by the leister of a weaver at Peebles. But what is the summary of his career thus far? He has roused to the chase 350 men; there have been expended on him, in wages and materials alone, (such is our careful calculation), at least 10*l.*; he was worth 2*s.* 1*d.*; and he's off!

This, of course, is an extreme case; take, then, one of an opposite character. Instead of a single fish, a shoal, or, as it is technically called, a *head* have come up. The same engines are set to work, but with great success. Out of 500, 490 are captured, and ten make their way onward, five (say) to be killed by the Dukes or the weavers, (as the fish killed by the rod last

year were 700 to about 90,000 killed by the net, it will be seen that we are stating fairly,) and five to spawn ; and the same thing is possibly repeated, tide after tide, for weeks. For this extreme case, and for all conceivable cases, our plan assuredly would be an immense improvement on things as they are.

Such an engine as we propose, and as is known to be perfectly practicable, would neither expend money and labour in a blind and unsuccessful attempt to take a single fish, nor slaughter all that entered for a week, without regard either to the interests of those above, or to the providing of a supply for the future. It would, under such regulations as should be agreed on, capture all within a certain proportion of time, and let all go free within the remaining proportion. And it would do all this at a mere fraction of the expense of the present more harmful and less productive system. On the Tweed, at this moment, the cost of labour and materials absorbs about two-thirds of the selling-price of the fish. That is the cost of fishing the river by fifty stations. Our plan would work it by one. Besides, the fifth of the rent, which is taken for protection, would be saved under our system. And it must not be supposed that the Tweed is an unfairly selected instance. On the contrary, if we had taken the Tay, where the cost of working bears to the value of the produce the same proportion as on Tweed, and where there are between eighty and ninety stations, with two boats and two nets at each, we should have brought out results at least as effective for our purpose.

In dealing with the various interests concerned in such a change, we foresee no difficulties which the law may not easily and equitably overcome. In the times in which the existing system arose it would have been absurd to hope for reasonable co-operation towards such an object ; and the law, being too weak and loose to enforce submission to arrangements for the general good, could only prohibit whatever would give a local or individual monopoly, and then abandon all to the barbarous and wasteful system of 'catch who can.' But circumstances have now changed, and the road to a more rational method is open to us. The absolute and relative value of every salmon-fishing property being now pretty well ascertained, let the proportion which the share of each proprietor bears to the whole of his river or district be settled by arbitration and evidence, and let that be the proportion which he shall draw from the one common or general fishery. In making such an arrangement, some men would doubtless think that they had been allotted less than their share, but certainly no man would be made worse off than

he is at present, to say nothing of what, under the existing system, he is likely soon to become.

The plan thus roughly outlined, we do not propound without due consideration, and would fain hope that the parties most directly interested will not condemn it, unless they can find some stronger ground than its novelty and apparent daring.

In honesty we cannot conclude without giving place to two facts which at first view seem rather discouraging. One is, that there is room for suspecting that the idea that salmon invariably seek their native river has been carried too far; as also for doubting, whether the tendency which is ascribed to a mysterious and unerring instinct has any other source than the simple fact of the distance of river mouths from each other. Certainly, there is very little that can be called evidence on the subject, and of that little much is demonstrably fallacious. For instance, Mr. Robert Buist, of Perth, one of the most intelligent, and therefore one of the most diffident, witnesses before the Committee of 1836, adduces the fact of his having seen fish making immense efforts to ascend the Almondb, a tributary of the Tay, as evidence 'that salmon return to the river where they are bred.' But Mr. Buist's evidence is very much shaken by the fact that the fish are seen, year after year, struggling to ascend rivers where no fish have been born for generations, and that too in the case both of rivers emptying themselves into the sea, and of those which are inaccessible tributaries of rivers where salmon do breed. For instance, the erection of a dam-dike at the manufacturing town of Galashiels, has for many years prevented a single fish ascending the Gala, a tributary of the Tweed, and yet hundreds of fish are to be seen vainly striving to leap the barrier any day after an autumn flood. At the same time, there are indubitable facts of an opposite tendency — as the fact of breeding fish having been artificially placed in certain rivers in Sutherlandshire, where salmon had never been seen before; years after which, salmon, apparently of their progeny, pushed up these rivers and spawned. The doubt existing on this point is obviously connected with those other evils which the salmon meets with during his career, and which human laws, as they do not cause neither can they cure. Lately obtained data go to show that the number of fish which return to their native river, or apparently to any river, bear to the number which are known to descend as smolts and kelts an exceedingly, we may say, a lamentably small proportion. About half-a-dozen years ago, a great number of kelts were marked on the Tay by the Duke of Atholl and others, and an impression has got abroad that the number of re-captures

was very great, so great as to demonstrate the return of a large proportion of the fish to the river. The fact, however, was quite the reverse. Of the marked fish not five per cent. have ever been seen again. We have ascertained corroborative facts regarding the Tweed. In 1845, marks were carefully attached to 30,000 smolts descending that river, not one of whom has ever come to hand. As an intimation of the fate of myriads of these infant salmon, it may be mentioned that the fishermen at the foot of Tweed have sometimes taken at a single haul of the net 200 of the fish called *saiths*, each with seven or eight smolts in its paunch. In the spring of 1849, 1,000 kelts were marked in the Tweed, only three of which have since given an account of themselves — two in the river, and one thirty miles along the coast. Although it is our duty to mention these facts, we can indulge in no remarks on them, save this: The unknown agents of destruction which they indicate, have probably been at work since the creation, and they certainly co-existed with that abundance which we should now be well content to restore. So considered, they form inducements, and not dissuasions, in our endeavour to find in our own legislation or practices the origin and the remedy of the recent decline. To neglect being careful of the fish in the river, because so many of them are lost in the sea, would be as reasonable as to argue that it is not worth while to prevent the destruction of the roe, since, according to a calculation by Sir Humphry Davy, out of 17,000 eggs deposited by each fish, only 800 naturally come to perfection.

It is not likely that where so many persons of influence and eminence happen to be interested, any long time will now be suffered to pass without the subject coming once more before the Legislature. In 1843 the Duke of Richmond brought some derogatory epithets upon his head by complaining that the admission of salmon from Norway under Sir Robert Peel's tariff, had reduced, or would reduce, his salmon rental by 2,000*l.* a-year. The truth is, that this specific cause of decline never existed, save in the Duke's hasty terrors. We happen to know this from the chief salmon salesman of Billingsgate. He has stated to us, that the importation, which is solely from Holland and Norway (oddly enough, there was a considerable *export* seventy or eighty years ago from Aberdeen to Holland, France, and Spain), is utterly trifling, and is yearly decreasing. Nevertheless, his Grace's rents *have* notoriously declined beyond the figures he stated, and are continuing to decline — and his is no exceptional case. The cause lies nearer home than Norway, and there is no time to be lost in verifying and removing it.

ART. III.—*The Life and Correspondence of Robert Southey.*
London : 1850.

POETS have become much more important personages with the public in the nineteenth century, if the length of their memoirs may be taken as a standard of the interest which they excite. The longest of Johnson's 'Lives of the Poets'—that of Dryden—does not equal in length a twentieth part of the memoirs of Byron or Crabbe; the most minute—that of Savage—enters on far fewer details than the Life of Scott. In the 'Correspondence of Southey' we are again presented with an array of volumes, equal in bulk and number to the 'Lives' of men who have guided the councils or added to the empire of the British crown. The future biographers of British bards will inherit no easy task.

The fashion of incorporating an author's correspondence with the general narrative in some measure accounts for the amplitude of such memoirs. Quirini, in his Life of Cardinal Pole, was, we believe, the first person who conceived the idea of making distinguished men their own chroniclers. His example was followed by Middleton, by Mason, and Hayley; and the Lives of 'Cicero, of Gray, and Cowper are still read, and sometimes re-published. The advantages of Quirini's plan are obvious. Where the subject of the memoir was 'a good correspondent,' we enjoy in his letters the nearest substitute for conversation with him. The disadvantages of such epistolary records are, however, in some cases, considerable. Editors are too apt to forget that a half is sometimes better than the whole. A series of letters almost inevitably involves repetition; especially when the writer of them, like Cowper and Southey, has passed much of his time in domestic or studious seclusion. We do not become tired of Walpole, because he writes of Newcastle and Pitt as well as of Pattypan and old china. But Cowper's recurring bulletins of the progress of his 'Homer' frequently make us wish for more variety or fewer letters. The topics of Southey's correspondence are, it is true, more varied than those of the recluse of Olney. His literary connexions were more numerous, and he had not wholly shut out the world. But, on the other hand, Southey did not possess Cowper's genial humour. He was less observant; he was less contemplative; and, from being irritably alive to literary fame, he deemed that no subjects could be so welcome to his correspondents as the conception, progress, and fortunes of his rapidly planned and nearly as

rapidly finished quartos and octavos. In themselves the letters are lively and original, and, with a few exceptions of early date, easy and unaffected ; nor would it be difficult to select from the volumes before us some of the most finished specimens of their author's delightful style. Their *juxta-position* and number alone mar, in some degree, their individual beauty.

Whether Mr. Cuthbert Southey be the most appropriate biographer of the late Laureate we have some doubt. In his preface, indeed, he roundly asserts his superior claim to the pious office ; and so far as regards honesty of purpose and reverential feeling, he has unquestionably made good his claim. His position, however, disqualified him, on many accounts, for being much more than an editor of the paternal memoirs. From his hands we could not expect a comprehensive or impartial scrutiny of Southey's station in literature, of his relations to his contemporaries, or of his influence, either as a critic or as an original writer, upon the taste and opinions of his age. A *Life of Southey*, so executed, would have demanded from his son a stoicism which no one had any right to exact, and which might, indeed, have seemed an inversion of the *patria potestas*. For these reasons we cannot place the volumes before us upon a level with the classical lives of Scott and Byron. We can easily imagine a more graphic portraiture of the original than we have found in them ; and we must regard them, therefore, on the whole rather as materials for the future biographer, than as the record which the public expected or Robert Southey deserved. With all these abatements, our obligations to Mr. Cuthbert Southey are still considerable. He has made an important addition to our epistolary literature, and he has furnished us with new motives to admire the genius and revere the memory of his father.

The verdict of this Journal on the works and intellectual position of Southey has been often and unreservedly delivered ; and, after reconsidering these former judgments, we find in them little to modify or reverse. In many important questions,—literary, political, and ethical,—we differ as before. We thought him often arrogant in his treatment of contemporaries, and eccentric in his views of events and parties—and we think so still. We always bore cordial testimony to his private worth, to his manifold acquirements, to the excellency of some of his writings, and to the singular beauty of his language ; and so far, if there be any change in our former impressions, it is in his favour. Indeed, our admiration of his many admirable qualities has been increased by the publication of his ‘Correspondence,’ and we now advert to our dissent from him, only that in sur-

veying for the last time his private and literary career, we may be relieved from the painful duty of again controverting his opinions or again protesting against his occasionally harsh judgments. Death, the great reconciler, has disarmed, even of their sound and fury, the hard names which he vouchsafed us in his books, and pretty liberally repeats in his letters. But these ‘terms of impropriation,’ as Sir Thomas Browne calls them, neither dwell in our memories nor revive our griefs: and to us Robert Southey, like Plutarch’s heroes, has become as one whose failings are written in water and whose virtues are recorded on tablets more enduring than monumental brass.

His life may be most conveniently divided into three periods — his boyhood and residence at Oxford; his scheme, or rather dream, of Pantocracy, with its immediate results; and his adoption of literature as a profession. Over each of these, our limits permit us to take only a brief glance. The letters will be their best illustration, and to them we must refer our readers. Had Southey, indeed, as he once purposed, become his own biographer, we should have possessed a volume of at least equal merit with Gibbon’s ‘Memoir of his Life and Writings.’ The seventeen letters of autobiography, which usher in Mr. Cuthbert Southey’s narrative, and comprise the family and personal history of his father during the first fifteen years of his life, are so interesting and so pictorial that we feel nearly as much regret at his leaving the work of self-portraiture incomplete, as at his unfulfilled design of a History of the Monastic Orders. His general letters and the biographical prefaces to the later editions of his poems in some measure supply the loss; but we miss in them the selection and condensation in which no one was better skilled than himself. In this brief preliminary sketch of his boyhood, his felicity in grouping and narrating is as conspicuous as in his finished Lives of Nelson and Cowper.

The family of Southey, from which the poet descended, was settled in Somersetshire in the seventeenth century, and appears to have generally consisted of substantial yeomen, who would now rank with the second order of country gentlemen. One of his ancestors was out in Monmouth’s insurrection; but fortunately for himself, and the future Rodericks and Kehamas, he managed to elude Judge Jeffries’ search-warrants. Another married a niece or cousin of John Locke’s, — an alliance of which most persons would be proud, but which Southey rather petulantly undervalues. The author of the ‘Book of the Church’ had, indeed, few sympathies with the philosopher of the ‘Human Understanding,’ still less with

the writer of the ‘Letters on Toleration.’ The families of the Bradfords, Hills, and Tylers successively mingled lot and lineage with the Southneys. Of these the Tylers afforded the poet a most eccentric aunt, and the Hills a most justly-revered uncle. By one of those evil chances which befall the choice of a vocation in life, Southey’s father, whom nature had marked out for a gamekeeper, was apprenticed to a linendraper in Bristol, became, in due time, a master-draper, took a hare, in token of his proper instincts, for a device, failed in business, and bequeathed to his son an estate similar to Joseph Scaliger’s, — ‘the best part whereof lay under his hat.’ Of this unlucky father Southey records next to nothing: from his mother, whose maiden name was Hill, he seems to have inherited his well-defined and shapely profile, and the groundwork, at least, of his moral and intellectual character. Before closing our account of Southey’s ancestors we must remark upon his singular ill-luck with respect to pecuniary bequests. Two of his paternal uncles, childless themselves, left their property away from him; and one of them, ‘worth nearly a plumb,’ refused to aid him when his father had become insolvent. He was thus destined to be the architect of his own fortune, and to learn a nobler use of money than his succession to a million would probably have taught him.

Robert Southey was born at Bristol on the 12th of August, 1774. Happily, however, for him, his childhood was not passed amid the narrow streets of one of the dingiest of cities, but at a farm-house, ‘about half an hour’s walk from Bristol,’ the home of his maternal grandmother. The house at Bedminster, with its quaint garden and antique furniture, its paved court-yard and its porch covered with jasmine, was just the quiet homestead which might have suggested an Elia to Lamb, and which has really supplied Southey himself with some hints for his description of Daniel Dove’s patrimonial cottage. Here, while Mrs. Hill survived, his holidays were spent, and here, too, he probably imbibed his deep love for country-life; although as little of his father’s tastes for country-sports had descended to him as of any other inheritance. The only patrimony he acknowledges to, is, ‘the drowsiness of his father;’ when accounting for the proportion of sleep which he allowed himself. On Mrs. Hill’s decease he removed with his aunt, Miss Tyler, to a village nearer Bristol; and he afterwards accompanied that eccentric lady in her subsequent removals until his summary ejection from her roof. Over his gentler mother the said aunt exercised the full prerogatives of an elder sister, as in truth she seems to have ruled all around her with a rod of iron. Had the first volume of these letters been

published a few months earlier, Mr. Dickens might have been taxed with borrowing his imaginary Miss Trotwood from the authentic Miss Tyler. Both these excellent ladies were equally firm in purpose, sudden and quick in quarrel, and averse to dust and matrimony. Residing with his aunt, Southey met with many indulgences, but more privations, and those of an injurious kind. He had no playmates ; he kept late hours both night and morning ; and lie was almost debarred from exercise, ‘ never being allowed to do any thing by which he might ‘ soil his clothes or the carpets.’ Still, on the whole, her dwelling was not without its advantages for a studious and imaginative boy. He had access to some book-closets of very miscellaneous contents ; the British Circulating Libraries introduced him to ‘ his master, Spenser ;’ to Ariosto and Tasso, through Hoole’s versions of them, and to numerous tomes of voyages and travels. Miss Tyler, too, was a constant frequenter of the Bath and Bristol theatres ; the manager courted her applause, or, at least, her suppers ; and Thespian phrases were so current in her family, that her nephew was once severely reprehended by her for applying to a large congregation the term of ‘ a full house.’ It is not surprising, therefore, that Southey’s first essays in composition were juvenile dramas, which he seems to have sketched as rapidly as afterwards epic poems. Under the stronger spell, however, of Spenser, of Hoole’s translations, of Pope’s Homer, and of Mickle’s Lusiad, the epic scale preponderated ; and the story of Egbert, combining metrical narrative with learned comment, was, apparently, a genuine precursor of Madoc and Kehama. Southey was not fortunate in his schoolmasters. His first preceptor was a General Baptist, who took Solomon’s counsel, and spared not the rod. Another was a learned astronomer, who could not mind earthly things, and who calculated eclipses when he should have explained Corderius. A third—‘ poor old Williams’—was a great proficient in the art of writing fair, and in nothing else. From Williams came that clear and shapely handwriting, for which Southey’s compositors must have blest the hour which consigned so prolific an author to so skilful a professor of calligraphy. In spite of his teachers, however, his progress in Latin was reasonably rapid, since between his eighth and twelfth years he had ‘ proceeded through Phædrus, Justin, ‘ Nepos, and Ovid’s Metamorphoses.’ To Greek, as we learn from a letter written forty years later, he made no pretence ; and his ‘ longs and shorts’ would have scandalised the most juvenile Etonian. After all, Southey’s best tutor during boyhood was, perhaps, a servant-lad of his aunt’s, who rejoiced in the

appellation of Shadrach Wecks. Shad—so he was called, except on occasions of ceremony—taught him trapball and kite-making, carpentry and gardening, to cleave blocks, to break bounds, and to set Miss Tyler's discipline at nought. As we may not have occasion to mention this ingenious servitor again, we will add here, that Shad narrowly escaped becoming a universal philanthropist. He was included in the Pantisocratic scheme: and his gifts of block-splitting and boot-cleaning would have doubtless rendered him the most serviceable member of the Susquehanna colony.

In his fourteenth year, with the sanction and assistance of his uncle, the Rev. Herbert Hill, Southey was placed at Westminster School, where he remained until Midsummer, 1792. ‘ Few boys,’ he remarks, ‘ were ever less qualified for the discipline of a public school than I was, when it was determined to place me at Westminster.’ His education had been irregular; his treatment at home injudicious; and his acquirements, considerable as they were for his age, were not of a kind to advance him in the school, or recommend him to companions at once more learned and more ignorant than himself. He appears, however, after the preliminary difficulties were surmounted, to have risen rapidly in the forms, and to have readily adapted himself to the sports, and even the mischief of boys. His taste for composition displayed itself very early at Westminster, and with most unlucky results. To a school-periodical, entitled ‘ The Flagellant,’ he contributed the ninth, and, as it proved, the last number. Number Nine was an attack on corporal punishments; Dr. Vincent, the head-master, treated the offence as a case of *lèse-majesté*, threatened the printer with an action, and, when Southey acknowledged the authorship, expelled him from the school. The penalty bore no proportion to the offence. But Dr. Vincent, by all accounts, was a pompous pedagogue; and the pretentious are seldom placable. His rigour lost Westminster a scholar superior to Cumberland in general attainments, and second only to Cowper in pure epistolary English. The most valuable and lasting fruit of Southey’s pupillage at Westminster were the friendships of Mr. Grosvenor Bedford and of Charles Williams Wynn. The large proportion of letters in the present collection addressed to each of these gentlemen shows the intimacy and tenacity of their relations with their former school-fellow. Of Mr. Wynn’s friendship there is a still more honourable record. Believing himself indebted to Southey’s influence and example, when they were again fellow-students at Oxford, for the direction of his intellect and the strengthening of his character, he requited this high obligation by an annual

allowance of 160*l.* from his own purse. This private aid was subsequently exchanged for an equivalent pension from the civil list. The bounty of the Grenville ministry was never better bestowed. It was applied by Southey, not to an increase of his income—since for that he trusted to his pen—but to a life-insurance, which, small as it was, lightened his anxieties for his family, and was the corner-stone of the provision he eventually made for them.

The Westminster boy, on his expulsion, returned to his aunt's house, at College Green, Bristol. The offence was a venial one; and his good uncle, Herbert Hill, who noticed it with sorrow but ‘without asperity and without reproaches,’ was not deterred, by the misadventure of the ‘Flagellant,’ from furnishing the culprit the means for Oxford. The dismissal, however, happened at an unlucky period of life. It came in the midst of his education; he had not yet reached man's estate, and the misanthropic tone of his letters at this time, in such remarkable contrast with the content and cheerfulness of his later correspondence, betrays the unsettled condition of his mind. His thoughts immediately reverted to authorship. He had been early ‘dipped in ink.’ He meditated at once a play, and an epic poem, and a volume of essays to be ‘dedicated to Envy, ‘Hatred, and Malice.’ From these unhealthy dreams he was aroused by his father's bankruptcy, and by the necessity of girding himself up for the lectures and schools of Oxford.

It had been intended that he should enter at Christ Church. But the dean, Cyril Jackson,—a superecilious pedant, whose reputation was beyond his merits, and whose merits were even less than his pretensions,—had heard of the ‘Flagellant,’ and, deeming, probably, that the boyish satirist would ‘flout the solemn ceremony’ of his college, refused to place his name on the boards. Southey was therefore transferred to Balliol, and commenced his residence in January, 1793. Dean Jackson's auguries were not altogether unverified. Though our young student's moral conduct was exemplary throughout, and his habits sufficiently diligent; yet he entered the university a republican in politics, and he quitted it a unitarian in creed. ‘My prepossessions,’ he writes in December, 1792, ‘are not very favourable: I expect to meet with pedantry, prejudice, and aristocracy,—from all which good Lord deliver poor Robert Southey!’ In spite of these misgivings, matters seem to have run smoothly enough between him and the college dignitaries; but not so with the college barber. He refused to wear hair-powder, and he refused to wear it in the year 1793, when hair unsfrizzed and unadorned was a token of disaffection to Church and State. ‘All is lost! ’

exclaimed Dumourier, when the grand chamberlain complained to him that Roland had appeared at Versailles without knee or shoe buckles ; and, doubtless, the fellows of Balliol regarded their unshorn freshman as ‘a tainted wether in their flock.’ It was, however, nearly the fulness of time ; the dynasty of barbers was on the wane ; and even men who aspired to fellowships and livings copied the example of their unpowdered ring-leader.

Gibbon has recorded of himself that he ‘arrived at Oxford ‘with a stock of erudition that might have puzzled a doctor, ‘and a degree of ignorance of which a schoolboy might have ‘been ashamed.’ Southey could, perhaps, have subscribed to a similar confession. Westminster had, indeed, in some measure, retrieved the defects of his earlier school-training, but had not, and probably could not, render him the mechanical scholar which Alma Mater has ever delighted to adopt and cherish. His tutor left him nearly to his own inventions, candidly admitting that ‘from his lectures Southey could learn nothing.’ That even then he was a ‘helluo librorum,’ one of his friends well recollects ; but we cannot discover what course of reading he pursued, or detect that familiarity with the Greek and Latin poets which his biographer ascribes to him. His letters, on the contrary, at all periods of his life,—one admirable letter to Mr. Grosvenor Bedford especially,—tend to prove that he rather underrated ethnic lore, and preferred the waters of the Tagus and the Arno to those of the Tiber and Ilissus. In his classical reading, he paid some attention at this time to an order of writers whom purists brand with an ill-name, and whom college-tutors seldom patronise. The imperial Stoic and the slave Epictetus were nerving him, by their pregnant maxims, for his approaching stand-up fight with poverty. The pamphlets which at that time the press was daily pouring forth upon the Rights of Man and the French Revolution were more congenial food to a republican mind than Aristotle and Aquinas ; and Mary Wollstonecraft and Rousseau were more to him than Tully or Plato. His intellect in 1792 was too deeply engrossed with its own struggles, and with the revolutionary influences of the age, to stand patiently on ‘the ancient ways,’ or acquiesce in the curriculum of Oxford studies.

The most important incident in Southey’s Oxonian career, both for its direct and its remote consequences, was his introduction to Coleridge. *Ex illo fonte* came Pantisocracy, Greta-Hall, and literature as a profession, as well as the habitual association of his name, both for praise and reproach, with the names of Wordsworth and Lamb, and the author of ‘Christa-

'bel.' In June, 1794, Coleridge had come to Oxford on a visit to an old schoolfellow; and an intimacy quickly sprang up between the youthful poets, 'fostered by the similarity of their 'views in both religion and polities.' Southey, in one or two of his earlier letters, adverts to emigration and America as his probable resort from poverty and disappointment; and Coleridge now brought with him from Cambridge his 'fire-new project' of Pantisocracy, which speedily ignited in his new friend's prepared mind. Thenceforward for nearly two years Pantisocracy incessantly occupied and unsettled the brains of its projectors. It was not altogether original, for the 'melancholy Cowley' had once intended to retire with his books to a cottage in America; and in the most corrupt age of the Roman Empire the philosopher Plotinus besought the emperor Gallienus to grant him a deserted town in Campania that he might colonise it with philosophers, and exhibit to an admiring world the spectacle of a perfect community. But the Pantisocratists of 1793 soared a pitch above Cowley and Plotinus. They asked for neither a city nor a cottage, but proposed to redeem the waste, to build, to sow, to plant, to wash, to wring, to brew, and bake for themselves, without bating a jot of their customary cares—the composition of epic poems, or the construction of metaphysical castles. Helpless as Coleridge was in all practical matters, we are not sure that emigration, with its attendant manual labour, would have been bad for him, even though the world had gone without 'Christabel' and the 'Friend.' But for Southey, the greatest misfortune that could have betided him at this juncture would have been a legacy of two thousand pounds. For so much, according to Coleridge's calculation, would have started the colony; and Southey was sufficiently in earnest for a while to have staked his all upon the die. Luckily for all parties, the money was not forthcoming; it was necessary even for philosophers to eat and drink; they had made it imperative on themselves, as Pantisocratists, to marry, and we shrewdly suspect that Mrs. Coleridge and Mrs. Southey indirectly frustrated the scheme. However this may have been, the Transatlantic dream, having first dwindled into the prosaic shape of a farm in Wales, at length melted away before the realities of life. Southey, as might have been foretold, was the first to recover his senses, and Coleridge, as may be believed, was the last to persist in dreaming on. This falling off led to a brief estrangement; but the breach was soon repaired, as both were truly placable and generous men. So contagious, however, is enthusiasm, that Southey's mother, whose journeys had rarely extended beyond the borders of Somersetshire, came, it is said, to regard

exportation with ardour. Mahomet is reported to have counted the conversion of his wife, Cadijah, the greatest of his miracles ; and Southey must have had no mean obstacle to surmount in the good sense of his staid and discreet parent. But probably it was not so much conviction that she yielded. Life can have few greater trials to a mother than to part with such a son, though on a wiser errand than the foundation of a nephelo-coccygia.

In the summer vacation of 1793, and under the roof of Mr. Grosvenor Bedford's father, Southey resumed, and in six weeks completed, the first of his epic poems—*Joan of Arc*. It was not published until some time afterwards, and in the meanwhile underwent considerable corrections. Sufficient, however, of the original fabric must remain to warrant us in pronouncing this poem an extraordinary achievement for a youth in his twentieth year. Sir Joshua Reynolds, in the maturity of his art, sighed over some of his early portraits, from their exhibiting, as he thought, more promise than he had fulfilled. The first of Southey's Epics, immature as it is, might have prompted a similar regret.

Of Southey's marriage enough, and perhaps more than enough, has been written. That his engagement to 'Edith' was imprudent, and that his marrying without a provision and without a profession, could hardly be justified at the time, we fancy no one will question. If an error, however, it was exempt from the usual consequences of such youthful errors, since he secured for himself a most faithful, sensible, and affectionate partner ; who soothed his earlier struggles, and for forty years so managed a narrow income, as in great measure to relieve him from the cares which are most painfully irksome to studious men. The marriage,—we are compelled to hurry over its antecedents,—was not at first acceptable to his uncle ; it was most unlikely that it should. That generous and prudent relative had been twice disappointed by his nephew, — first at Westminster, and afterwards at Oxford,—and was now still further alarmed by his Transatlantic project. Mr. Hill had destined his nephew for the Church, since in the Church alone could he assist him ; but republicanism and unitarianism had effectually bolted the Church door. It was in the hope of deferring his union with Miss Fricker, that Mr. Hill, now chaplain to the British embassy at Lisbon, proposed that he should accompany him thither, and then return to England and qualify himself for the law. Southey went to Lisbon ; but he was too deeply attached to 'Edith' to retract or even postpone his engagement. On the 14th of November, 1795, they were married at Radcliff Church in Bristol, but to part immediately after the ceremony. The virgin-bride

retained her maiden name until the report of the marriage was bruited abroad ; and she remained, during her husband's absence, 'a parlour boarder with the sisters' of the excellent Joseph Cottle, whose name will be reverenced whcrever Southey is held in honour.

There was, however, another relative upon whom the announcement of Southey's Pantisocracy and intended marriage fell like a rocket, and kindled swift, explosive, and inextinguishable wrath. That relative was Miss Tyler. She was 'a fine old Christian,' and abhorred dissenters ; she was a staunch Tory, and abominated republicanism ; she was a practical Malthusian, at least since middle life, and thought matrimony, improvident matrimony, worse than either the conventicle or the Rights of Man. Moreover, she had always expected her nephew would take orders, and revive, in some prebendal stall perhaps, the decayed dignity of the Southey family. Of his opinions, theological and political, she seems to have lived in blissful ignorance, until on a certain day in October, 1794, Southey imparted to her his plan of emigration, and his engagement to marry. Here was 'worshipful intelligence.' The Semiramis of College Green had been unsuspectingly harbouring a leveller and a lover ! Immediate ejection from her roof, 'in a windy and rainy night' of the autumnal equinox, was the penalty of such a confession ; and aunt and nephew never met again.

One piece of what is called good fortune, and one only, was vouchsafed to Southey at this troublous epoch of his life — his introduction to Joseph Cottle. In 1794 Southey had delivered with some success a course of Historical Lectures at Bristol, and so became acquainted with the benevolent publisher, his own and Coleridge's first patron. 'Joan of Arc' had already been announced for publication by subscription ; but subscribers came slowly forward, and the poem seemed destined to remain in its author's desk, when Mr. Cottle surprised him with the offer of fifty guineas for the copyright, and of fifty copies for his subscribers. The offer was, under the circumstances, munificent, and was as important as it was liberal ; for on his return from his first visit to Lisbon, Southey learned that 'Joan of Arc' had found no small favour with the public. Its success, evidently, strengthened in him the conviction that readers would henceforward endure poems as long as the Faëry Queen, and that his proper vocation was to 'heap Pelion on Ossa,' and write epic verses by the thousand.

Southey's first visit to Lisbon was useful to him chiefly in laying the foundation of that wide acquaintance with Spanish and Portuguese literature which he afterwards turned to so

much account, and in which, among his own countrymen at least, the late Mr. Hookham Frere alone surpassed him. The value of his new acquisition was at first, however, scarcely cognisable even by himself. His mind was ill at ease ; he was a widowed bridegroom for the time ; his wandering instinct had not quite subsided ; the present was gloomy, and the future doubtful. Nor, as he returned to England with nearly the same political bias as he brought away with him, and with the same determination against taking orders, can Mr. Hill have had much reason to be satisfied with the absence experiment. Mr. Hill, indeed, seems to have regarded his nephew at this time with the bewilderment which Jonathan Oldbuck, we are told, excited in his master. ‘Mr. Jonathan,’ said the man of law, ‘devours old parchments and makes his sixpence go further than another man’s half-crown : but he will take no interest in the practical and profitable concerns of John Doe and Richard Roe.’

Sixteen years after the good uncle had sent home a sketch of his nephew’s character, drawn much after the same fashion, the now sobered nephew retraced his own earlier lincaments in a youthful poet, who died ere he had reconciled himself with the world or the world’s law. We extract the following passage from a letter of Southey’s, written in 1812, as a curious specimen of self-recognition : —

‘Here is a man at Keswick, who acts upon me as my own ghost would do. He is just what I was in 1794. His name is Shelley, son to the member for Shoreham ; with 6000*l.* a-year entailed upon him, and as much more in his father’s power to cut off. Beginning with romances of ghosts and murder, and with poetry at Eton, he passed at Oxford into metaphysics ; printed half-a-dozen pages, which he entitled “The Necessity of Atheism” ; sent one anonymously to Coplestone, in expectation, I suppose, of converting him ; was expelled in consequence ; married a girl of seventeen, after being turned out of doors by his father ; and here they both are, in lodgings, living upon 200*l.* a-year, which her father allows them. He is come to the fittest physician in the world. At present he is got to the Pantheistic stage of philosophy, and, in the course of a week, I expect he will be a Berkleyan, for I have put him upon a course of Berkeley. It has surprised him a good deal to meet, for the first time in his life, with a man who perfectly understands him, and does him full justice. I tell him that all the difference between us is, that he is nineteen and I am thirty-seven ; and I dare say it will not be very long before I shall succeed in convincing him that he may be a true philosopher, and do a great deal of good, with 6000*l.* a-year : the thought of which troubles him a great deal more at present than ever the want of sixpence (for I have known such a want) did me. . . . God help us ! the world wants mending, though he does not set about it exactly in the right way.’

Between 1796, the date of his first return from Lisbon, and 1803, when he began to reside at Keswick, Southey's migrations were numerous. We need not trace him to Westbury, a pleasant village two miles from Bristol, fertile in verse, and near to Davy and his wonder-working gas; nor again to Lisbon, gazing 'on convents and quintas, grey olive-yards, green orange-groves, and greener vineyards;' nor follow him on his return home to an abortive residence in Wales, and an abortive secretaryship in Ireland. These wanderings look very little like reading law. At Oxford he had made a brief experiment in the school of anatomy, with what success may be supposed, since, as he tells us in his *Colloquies*, the sight of a butcher's shop made him ill. Law was his vocation as little as *Physic*. He now, however, consented to study it. Meantime, where reside? From old associations he might perhaps have endured Bristol. Yet he had an all but unconquerable aversion to great cities, and a livelihood from the law must be sought in places where 'men most do congregate.' According to his admission or rather his boast, he never overcame his repugnance either to law or streets. For, while his eyes were upon Coke and Lyttelton, his heart was absorbed by plans for epics, dramas, and histories. 'To all *serious* studies,' he writes, 'I bid adieu when I enter upon my London lodgings. The law will neither amuse me, nor ameliorate me, nor instruct me: but the moment it gives me a comfortable independence — and I have but few wants — then farewell to London. I will get me some little house near the sea, and near a country town, for the sake of the post and the bookseller.' *Themis*, 'bounteous lady' as she sometimes proves and is more often idly imagined to be, was not likely to be very gracious to so reluctant a votary. In fact, his wooing was of the kind which never thrives. His memory, according to his own account, was more at fault than his industry or understanding. 'I am not indolent,' he writes; 'I loathe indolence; but, indeed, reading law is laborious indolence — it is thrashing straw. I have read and read and read; but the devil a bit can I remember. I have given all possible attention, and attempted to command volition. No! the eyes read; the lips pronounced, I understood and re-read it — it was very clear. I remembered the page — the sentence: but close the book, and all was gone.' Literature and science are compatible with jurisprudence, though not easily; and to be so, the law-student must not contemplate, as in the present instance, an *auto-da-fé* of his law library as the natural termination of his legal studies. With so divided an allegiance at the outset — 'law in the morning and verses in the evening' — it was as impossible

for Southey to have mastered the 'Reports,' as it would have been for Lord Eldon to have written 'Thalaba,' and his final divorce from law in 1802 was as prudent as it was unavoidable.

Accordingly we regret his divorce from the law much less than his divorce from London. We believe that his preference for a country life, even if favourable to literary fecundity, was prejudicial to his intellectual character. Mingling with the society of the metropolis he might have written less, but he would have known more of men and their ways. His dislike of Mr. Canning melted away as soon as he became personally acquainted with him, and it is remarked by his biographer that his father's antipathies rarely survived contact with the object of them. In London or Edinburgh Southey would probably have learned to regard political opponents with equanimity, more especially since, as far as we can discover from his letters, he at no time very cordially agreed with the party he was believed to espouse. In the literary circles of either of these great capitals he might have shunned the gravest error of his life — the habit of imputing unworthy motives to persons his equals in ability and integrity, and far his superiors in a general charitableness of nature as well as in worldly wisdom. It is not good for man to be alone. It is especially dangerous for a literary man to listen only to the echoes of his own praises or his own dislikes. What would have become of Samuel Johnson but for his love of London? Could 'Elia' have been written by a resident at Mackery End? The danger is even greater when the imagination, as in Southey's case, is a more active faculty than the understanding. Achilles is described by Homer as nursing his wrath by the solitary shore; and Southey in his rural seclusion brooded over many antipathies which a freer intercourse with the world would have first softened and then removed.

All other schemes failing, Southey now rejoined Coleridge at the Lakes, became the joint tenant with him of Greta Hall, and a permanent resident in the most beautiful county in England. 'Hoc erat in votis.' Keswick was not very near the sea, but it combined the conveniences of a town with the attractions of the country. Coleridge was under the same roof; Wordsworth, with whom Southey here became acquainted, although he did not admire the Lyrical Ballads, was at Grasmere. Greta Hall belonged to a liberal landlord: there was a good book-room and a good garden. At length the wanderer had cast anchor, as he phrased it, and the current of his days flowed smoothly forward. In order to avoid recurrence, we shall now endeavour to represent his daily life, such as it was, with occasional varieties of

foreign travel or domestic incident, for more than thirty consecutive years. The records of St. Maur afford no more striking example of undeviating and conscientious labour: the annals of philosophy present few more manly spectacles of unfailing cheerfulness and serene content.

Southey's year amid the mountains of Cumberland was divided into two unequal portions. Winter in the latitude of the English lakes generally includes half the autumnal and nearly all the spring months. This long brumal period was devoted to the reading which enabled him to write, and to the writing which enabled him to live. His hours were strictly apportioned to his different employments. He was habitually an early riser, and, like Gibbon, wisely refrained from encroaching upon the night. He composed before breakfast; he read and transcribed, he wrote and extracted, from breakfast to a latish dinner; and the hours after the latter meal were generally assigned to that active correspondence which, to less industrious persons, would have been itself a business, or to the correction of proof-sheets, which was to Southey one of the choicest of mundane pleasures. ‘After tea,’ he proceeds, summing up the avocations of a day, ‘I go to poetry, and correct, ‘and re-write and copy, till I am tired, and then turn to any ‘thing else till supper. And this is my life; which, if it be not ‘a very merry one, is yet as happy as heart could wish.’ The gambols or innocent questionings of his children were alone permitted to break in upon his busy seclusion; for against children their father’s door seems never to have been barred. He confesses that he wanted the art of making his pleasantries acceptable to women: so he will have been saved for the most part from those great consumers of the leisure of men of letters.

With the sunnier came the swallows; and with the swallows came tourists to the neighbourhood of Keswick in even larger numbers than railroads now convey them. Since, in 1806 and for several years afterwards, the Continent was closed by war, and a voyage across the Atlantic was then an undertaking not of days but weeks. Gray was, we believe, the first describer of English lake scenery; yet he saw a portion only, and that not the most sublime portion, of our island-Alps. Indeed, even at the beginning of the present century many of the Cumbrian dells and passes were comparatively ground unvisited, and Southey mentions more than one discovery made by himself, on his pedestrian excursions. Among the tourists were many old acquaintances; and many more brought with them letters of introduction, which, in some instances, led to new friendships. These incursions on a limited society were salutary interruptions to his

continuous winter studies. For although Greta Hall was within reach of Calgarth Park, the residence of the Bishop of Llandaff,—the Bishop being no less a person than Dr. Watson, the author of the ‘Apology for the Bible’ and the ‘Lectures on Chemistry,’—of Brathay, the home of Charles Lloyd, the translator of ‘Alfieri,’ and a genuine although an almost forgotten poet; of Elleray, the seat of Professor Wilson; and of Grasmere and Rydal mere, the successive homes of Wordsworth;—yet mountain roads and long winter nights were to most persons, and more especially to one so constantly employed as Southey, effectual impediments to frequent intercourse. But in the summer months, besides frequent hospitality to casual or customary visitors, he indulged himself in excursions to those regions of the mountain country which lay beyond his own immediate neighbourhood. These occasional ‘forays’ could not be complete substitutes for daily exercise, but they doubtless helped for some years to recruit his frame and to counteract the prejudicial effects of his ordinary desk-work. Even to strangers he would sacrifice the employments of the day,—employments for the most part pressing and onerous,—to do the honours of his adjoining lake and the mountains that environ it. In his ‘Colloquies’ may be found some exquisite samples of his zeal and eloquence as a Cicrrone.

The reader will probably be glad if we lay before him a few of the vouchers for the foregoing account of Southey’s studious and social life. We extract them almost at random from his letters, for no one ever wrote more naturally or unreservedly of himself:—

‘ I am getting on with my Letters from Portugal. The evenings close in by tea-time, and fire and candle bring with them close work at the desk, and nothing to take me from it. They will probably extend to three such volumes as Espriella. When they are done, the fresh letters of Espriella will come in their turn; and so I go on. Huzza! two and twenty volumes already; the Cid, when reprinted, will make two more; and, please God, five a-year in addition as long as I live.

‘ I waited to begin a new article for the “Quarterly” till the first number was published, and as that is so near at hand, will begin to-morrow. But if Gifford likes my pattern-work, he should send me more cloth to cut; he should send me Travels, which I review better than any thing else. I am impatient to see the first number. Young lady never felt more desirous to see herself in a new ball-dress, than I do to see my own performance in print, often as that gratification falls to my lot. The reason is, that, in the multiplicity of my employments, I forget the form and manner of every thing as soon as it is out of sight, and they come to me like pleasant recollections of

what I wish to remember. Besides, the thing looks differently in print. In short, there are a great many philosophical reasons for this fancy of mine, and one of the best of all reasons is, that I hold it good to make every thing a pleasure which it is possible to make so.'

'Hitherto,' he writes to Mr. Wynn, in 1812, 'I have been highly favoured. A healthy body, an active mind, and a cheerful heart, are the three best boons Nature can bestow; and, God be praised, no man ever enjoyed them more perfectly.' My skin and bones scarcely know what an ailment is; my mind is ever on the alert, and yet, when its work is done, becomes as tranquil as a baby; and my spirits invincibly good. Would they have been so, or could I have been what I am, if you had not been for so many years my stay and support? I believe not; yet you have been so long my familiar friend, that I felt no more sense of dependence in receiving my main, and, at one time, my sole subsistence from you, than if you had been my brother: it was being done to as I would have done.'

The following letter to Mr. Grosvenor Bedford, written in 1818, is tinged with prophetic melancholy: —

'It is, between ourselves, a matter of surprise to me that this bodily machine of mine should have continued its operations with so few derangements, knowing, as I well do, its excessive susceptibility to many deranging causes. If I did not vary my pursuits, and carry on many works of a totally different kind at once, I should soon be incapable of proceeding with any, so surely does it disturb my sleep and affect my dreams if I dwell upon one with any continuous attention. The truth is, that though some persons, whose knowledge of me is scarcely skin-deep, suppose I have no nerves because I have great self-control as far as regards the surface, if it were not for great self-management, and what may be called a strict intellectual regimen, I should very soon be in a deplorable state of what is called nervous disease, and this would have been the case any time during the last twenty years.'

'Thank God, I am well at present, and well employed. Brazil and Wesley both at the press; a paper for the "Quarterly Review" in hand, and "Oliver Newman" now seriously resumed; while, for light reading, I am going through South's Sermons and the whole British and Irish part of the *Acta Sanctorum*.'

Our closing extract from these annals of Greta Hall is more cheerful: —

'Of my own goings on, I know not that there is any thing which can be said. Imagine me in this great study of mine from breakfast till dinner, from dinner till tea, and from tea till supper, in my old black coat, my corduroys alternately with the long worsted pantaloons and gaiters in one, and the green shade, and sitting at my desk, and you have my picture and my history. I play with Dapper, the dog, downstairs, who loves me as well as ever Cupid did, and the cat, upstairs, plays with me; for puss, finding this room the quietest in the

house, has thought proper to share it with me. Our weather has been so wet that I have not got out of doors for a walk once in a month. Now and then I go down to the river which runs at the bottom of the orchard, and throw stones till my arms ache, and then saunter back again. I rouse the house to breakfast every morning, and qualify myself for a boatswain's place by this practice ; and thus one day passes like another, and never did the days appear to pass so fast.'

Southey, for some time after his return to England, pined for the sublime and luxuriant scenery of Cintra and the Tagus. The Lusitanian springs and autumns, the golden fruitage of the orange groves, the pendulous clusters of the vineyards, the deep umbrage of the forests, the flashing of bright waters in sultry noons, and the brilliant semi-tropical flora of Portugal, were indeed wanting to the Cumbrian mountains. But in their stead nature unfolded around his northern dwelling an equally august, although gloomier, panorama of sinuous dales and mountain bastions, and the broad silvery mirrors of meres and lakes. On the right of Greta Hall were the lovely vale and wedge-shaped lake of Bassenthwaite ; and on its left, Lodore, celebrated by its poet in sportive dithyrambics, and Derwentwater, with its fairy islands. Behind it rose the vast and towering masses of Skiddaw and Blencathara, and in front was outspread 'a giant's camp of tent-like mountains, revealing through a narrow gorge the sublime chaos of Borrowdale.' Nor was Southey, as many charming passages both in his verse and prose evince, indifferent to the poetic and pictorial accessories of his abode. He was not, indeed, like Wordsworth, a student of nature at all hours and in every mood. Neither was he familiar, as Scott would have been, with the songs and legends of every dale, and with the weather-beaten features of every ancient crone and shepherd of the neighbouring hamlets. But his daily walks, his occasional rambles, and the prospect which hourly greeted him from his library window, refreshed and invigorated his spirit, and taught him to scan and describe, with a profound feeling of their beauty, the mystery and the majesty of flood and fell, of night and morning, and of elemental turbulence and repose. The ocean excepted, scarcely a chord in Nature's diapason was wanting in the landscape from Greta Hall.

The view within doors was hardly less attractive to him. In one of his letters, he expresses his conviction that with the library of the British Museum at his command, he should have despaired of accomplishing his literary projects, since infinite opulence would have distracted and discouraged him. His own

library had been collected by himself, and was constructed for the most part with a view to his own purposes, accomplished or designed. Its populous shelves afforded him the grateful spectacle of *spolia opima* won by resolute industry, or of the instruments of a reputation to be achieved by hopeful energy. The nucleus and basis of the collection consisted of Spanish, Portuguese, and English books. But, flanking and supporting these three great tribes of European literature, were detachments or recruits from nearly every department of ancient and modern learning; not, as now, in spruce octavos and curt duodecimos, but in tall and stalwart folios, the *megatheria* of the book creation. And above this household brigade of stately veterans, and towering upward to the vertex of the pyramid were the more diminutive tomes of modern days, radiated as it were from their patriarchal brethren by lines of rare manuscripts, Spanish and Portuguese, horizontally arranged upon brackets. But inasmuch as the cost of the leather or even prunella requisite for coating or reclothing his boarded or dilapidated myriads would have involved his exchequer 'in cureless ruin,' he called to his aid the members of his household. The faded gilding or tarnished vellum of his folios was repaired by the skill of his brother Thomas; and the ladies of Greta Hall, like the inmates of the Farrer Nunnery at Little Gidding, were adepts in book-binding and its adjuncts — pasting, stitching, and decorating. They clothed the needy in fine linen of divers colours. A volume of sermons or a quaker book was dressed in drab; poetry in some flowery pattern: and a pretentious or superficial author — for the fair bookbinders sometimes added a satiric touch — in some garb symbolic of his merits. No fewer than from 1200 to 1400 volumes were so bound by the Miss Southneys or their auxiliary guests; and the linen-brigade, which completely filled an upper chamber, was denominated the Cottonian Library. This vast assemblage of books, so rare and nondescript, affected their owner's destiny in more ways than one. Primarily it enabled him to perform so many diversified and encyclopædic tasks in literature; and secondly, it acted upon his plans in middle life as an anchor or *remora*. His projected history of Portugal needed a third residence in Lisbon: and a home and an occupation in Southern Europe were long regarded as essential to his health and convenient to his purse. But it was not easy to transplant his nursery: each revolving year rendered it more difficult to transport his library; his growing engagements with the booksellers made it expedient that the sea should not divide him from Paternoster Row; and after a while both pru-

dence and inclination combined to detain him in his Cumbrian home.

Perhaps other readers have been as omnivorous: but we doubt whether any one before has been also as methodical as he is exhibited in the multiform character of his writings, and the recent publication of his Common-place Books. His memory for particular facts and passages was less tenacious than that of Porson or Magliabechi; and its original vigour had been impaired, as he himself informs us, by his constant practice of making notes and extracts from the books he read. So far he fulfilled the prediction of the old king of Thebes that the art of writing would, in the end, prove the art of forgetting. But his annotations, on the other hand, enabled him to amass and draw at once upon his materials for any subject in hand without hesitation or delay, and to pass from verse to prose, from biography to political economy, with a precision and rapidity, surpassed only by Goethe and Voltaire. We subjoin Mr. Cuthbert Southey's account of his father's mode of acquiring and arranging the contents of a book.

' He was as rapid a reader as could be conceived, having the power of perceiving by a glance down the page whether it contained anything which he was likely to make use of. A slip of paper lay on his desk, and was used as a marker; and with a slightly-pencilled S he would note down the passage, put a reference on the paper, with some brief note of the subject, which he could transfer to his notebook, and in the course of a few hours he had classified and arranged every thing in the work which it was likely he would ever want.' . . .
' Many of the choicest passages he would transcribe himself, at odds and ends of time, or employ one of his family to transcribe for him; and these are the extracts which form his "Common-place Books," recently published; but those of less importance he had thus within reach in case he wished to avail himself of them. The quickness with which this was done was very remarkable. I have often known him receive a parcel of books one afternoon, and the next have found his mark throughout perhaps two or three different volumes; yet if a work took his attention particularly, he was not rapid in its perusal; and, on some authors, such as the old Divines, he "fed," as he expressed it, slowly and carefully, dwelling on the page, and taking in its contents deeply and deliberately — like an epicure with his wine, "searching the subtle flavour."

But although he read and wrote as incessantly as a candidate for university honours, his home was neither solitary nor cloistral. On the contrary, had his children and the masculine superior himself been kept out of sight, the uninitiated might have mistaken Greta Hall for a small nunnery. It in fact contained for many years three families. For Southey had

taken under his roof Mrs. Lovell, the widow of his first poetical colleague, and he had found already established there Mr. Coleridge and his family. But poor Coleridge ere long turned his face away for ever from Keswick, transferring to his more conscientious but scarcely richer brother-in-law, the task of providing for his wife and children. With what unmurmuring and unfailing kindness Southey discharged the cares of this tripled family is well known. With him the discharge of duty was no cold negation; but the gentle fulfilment of an office, which a generous affection imposed upon him.* And he fulfilled these tutelary duties as cheerfully as if his income had not been dependent upon the labour of the day, and as serenely as if health and life were certain, and a provision had already been secured against the contingencies of failing strength or early dissolution. Yet at no period of his exertions — and they were continued for nearly forty years — had Southey the satisfaction of knowing that a year's income was safely housed, although his pension and the laureateship enabled him in some measure to provide for the day when his parental assistance would be withdrawn. Nor was his scantily-furnished and precarious purse ever closed to the wants of friends or deserving claimants. Upon Herbert Knowles he offered to bestow an annual pension to enable him to meet in part the expenses of college; the necessities of William Taylor of Norwich he would have promptly relieved with a similar contribution, had not those necessities proved to be more imaginary than real; and in 1825 we find him, open-hearted and open-handed, making over to his friend Mr. John May, nearly all the ready money he then possessed. Of time, which to him was money, or even more than money, he was equally lavish at the call of friendship or 'patient merit.' His '*Life of Kirke White*,' and his edition of '*Chatterton's Remains*,' are permanent memorials of the zeal with which he devoted himself to the interests of the unfortunate; his advice to Bernard Barton and Ebenezer Elliott smoothed the preliminary difficulties of their literary career; nor would his counsel apparently have less serviceably befriended William Roberts and Dusautoy, had not death released them from doubt and dependence. Happy was the home at Greta Hall; bounteous and frequent were the charities which flowed from its hearth; and strong the heart and faithful the spirit which, beset by obstacles and oppressed by toil, could ever afford leisure and sympathy to the world-wanderer, and ceased not to uplift and sustain them, until they went on their way rejoicing.

The death of an infant daughter had been the immediate cause of Southey's migration from Bristol to the Lakes in 1803. The

wound was healed by the growing up around him of a fair and thriving family, in whom his affections centered without selfishness, and whom he seems to have brought up, 'as best befits the 'mountain child,' in hardy and healthy habits, although he neglected his own discipline for himself. The centre of the group was his son Herbert. For him Southey's letters indicate, not only affection, but an absorbing love, rivalling even the love of mothers. In him he saw 'his better part transmitted and improved :' But he saw not, or seeing dismissed it as 'some phantasma or 'hideous dream,' what more indifferent spectators could scarcely fail to discern, that a being so finely organised, and 'so prematurely accomplished as this favourite child, held but a precarious tenure on life. 'I have now,' he writes in 1809, 'three girls 'living, and as delightful a play-fellow in the shape of a boy as 'ever man was blest with. Very often, when I look at them, 'I think what a fit thing it would be that Malthus should be 'hanged.' For seven years after the father thus wrote Herbert was the companion of his walks, his thoughts, and even his studies : for, beyond his years, he was 'a studious boy,' and gave the flattering promise of following his father with more than equal steps. His mind had outgrown his body. His quick intellect and quiet disposition were in an inverse ratio to his prime of youth. Herbert Southey died in his tenth year, and the letters which record his illness, decease, and the griefs that followed, are unsurpassed for truth, tenderness, and Christian resignation.

We have grouped around Greta Hall the principal features of Southey's domestic life for a long period of years, since with him one day told unto another its incidents and avocations. But we must now resume the thread of his history as it regards the world around him. He seldom mingled in it, and too often most unreasonably affected to despise it ; but his reputation was increasing, and public applause exerted its usual influence upon him. When he became resident in Cumberland, he had already printed *Joan of Arc* and *Thalaba*, and the manuscripts of *Madoc* and *Kehama* were in his desk. His earliest epic, falling in with the revolutionary spirit of the times, and instinct with a vigour which he did not always display afterwards, had been successful beyond his hopes, and, as he thought in comparison with *Thalaba*, beyond its merits. Yet, although he more than once complains of the tardy sale of the latter poem, he began with his wonted energy to revise *Madoc*, and in twelvemonths published a third portly quarto of verse. He seems, indeed, to have thought that he had revived a taste for epical narrative, and to have projected a series of poems based

upon every known system of mythology, except the familiar and attractive myths of Greece and Rome. In 1805 'the Cacique' in Mexico and Prince in Wales' appeared before the public tribunal. Its author was at the same time busily employed as an editor and periodical critic ; and well was it for him that his means did not depend entirely on his epic adventure, — for Madoc eventually brought into his exchequer somewhat less than four pounds. In 1809 he produced 'Kehama,' and five years later 'Roderick,' — the intervals between these graver parturitions being taken up with regular contributions to the Annual and Quarterly Reviews, with the historical portion of the Edinburgh Annual Register, with a translation of the Cid, with his *Omniana*, the Remains of Kirke White, and the Life of Nelson. Upon these works the public has long ago pronounced irrevocable judgment, and generally reversed the verdict of their author. The periodical criticisms, which he deplored as labour unmeet for him, are still read with pleasure, and the biography of Nelson, which he designates as little better than an article, has become a British classic : while the elaborate metres and long narratives, on which the poet and historian expected his reputation was to rest, are seldom read, and less frequently cited.

The present seems a fitting place for a few general observations upon Southey's station in English poetry. If there were ever, formally, a Lake-school, he did not belong to it ; since he disliked the Lyrical Ballads, and it was friendship for Wordsworth which seems to have reconciled him to the Excursion. As little did he appertain to the order of bards, of whom Byron was the coryphaeus,—passion and Southey being irreconcilable terms. He was probably correct in calling 'Spenser' his 'master,' although the interval between them was as wide as the interval between Titian and West. Both, indeed, were poets of quantity : delighting in what Lydgate calls 'the long processes of an auncyent tale.' But in Spenser space is a shifting and gorgeous panopoma, vivid in hue, majestic in form, and populous with chivalrous and mystic groups. Whereas in Southey amplitude of proportion too often resembles a wintry landscape, from which motion and colour are absent, and the outline alone remains of suspended life and luxuriance. Of still life Southey, indeed, is occasionally a skilful painter ; but he was too dispassionate in himself, and too unversed in men's works and ways to inform his pictures with dramatic energy. His bad agents are all gloom ; his good agents are all seraphic ; his lovers are either merely sensual, or merely spiritual and metaphysical ; the virtues of his heroes excite no sympathy ; the vices of his

criminals awaken no horror. Like characters in the old mysteries, they are speaking allegories, and not real persons.

Yet we would recommend the youthful poetic aspirant to study Southey's poems; not indeed as he would study the masters of the great ancient and modern schools, but for the sake of their inexhaustible supplies of poetic materials. No writer, if we except Milton, has hived so much from the stores of books, or has displayed happier skill in discovering veins of imaginative ore even in the most rugged and unlikely soils. The materials, it is true, often surpass the workmanship. Mr. Fox was said to listen attentively to learned but ineffectual speeches, in order that he might speak them over again. And although 'Madoc' and 'Kehama,' will never be re-written, their *disjecta membra* may become serviceable under some more adroit combination. To the defects which we have noted, Southey's omnivorous appetite for reading doubtless contributed. Nearly all his poems are as much works of research as of imagination. His notes are more entertaining than the text, and sometimes as poetical. The very objectivity of his mind — a mind averse from introversion, and strenuous rather than susceptible, — favoured an undue accretion of its contents from books alone. He set to work upon an epic poem as many painters prepare themselves for an historical picture. They study archæology; they dive into black letter; they visit scenes of battle or of council; and they produce a brilliant masquerade. In like manner, in his longer poems, Southey assigns authoritics for his characters, his costume, his similes, and his episodes, till the wonder is that, working on such a plan, so much of his work should have been so good. Of his ballads we deem much more highly than of his epics. Their needful brevity constrained his habitual gyrations. Yet even in his ballads ease and spontaneity are too often wanting; the legend and the chronicle are too apparent; they savour more of the library than the minstrel; and we turn for relief to Campbell and Scott.

Southey himself, half-humorously and half-gravely, avows his propensity to be voluminous. 'Is it not a pity,' he says, 'that I should not execute my intentions of writing more verses than Lope di Vega, more tragedies than Dryden, and more epic poems than Blackmore? The more I write, the more I have to write. I have a Helicon kind of dropsy upon me, and "crescit indulgens." He omitted to remark that Dryden's plays are nearly forgotten, that Blackmore's epics procured him a niche in the Dunciad, and that not fifty men in Europe have read a quarter of Lope di Vega's plays. In his nineteenth year Southey had held an *auto-da-fé* upon at least 15,000 verses; he

plunged early into the Italian epic poets; he waded, as few men have done, through the Araucana; and one of his literary aspirations was to complete the 'Faëry Queen.' He composed verses at his morning toilette, in his solitary walks, on his occasional journeys; he poured them forth like unpremeditated conversation; he transcribed with the diligence of a Benedictine monk. Shelley called him a great improvisatore. The morning after he had completed 'Kehama,' he was ready to begin 'Roderick.' Poetry, he remarks, softens the heart: 'Madoc was essential to his happiness; ' no man ever tagged rhyme without being the better for it.' But although in prose the more men write, the better probably they will write, it is not so with verse. 'Poetry,' says Milton, 'is solemn, sensuous, and severe; ' and these are qualities earned only by excision, selection, and concentration. The taste of the reading public at the beginning of the present century affords indeed a cause, if not a justification, of this excess in quantity. In 1802, the greatness of a poet was thought to depend upon a certain cubic amount of verse. Glover's 'Leonidas' and Klopstock's 'Messiah' were not quite obsolete. Collins, and Gray, and Burns had not written enough for a diploma of the first order. A similar propensity displayed itself at one time in Roman literature; and the later Roman epics are the least read, and perhaps the least readable, of the verse which survived and scarcely survived, to modern times. It would be unjust to compare Southey with the post-Augustan writers, except perhaps with Valerius Flaccus. He has much more vigour and variety, and is much less tedious. Yet we doubt whether, in another generation, 'Madoc' will be better known than 'Silius Italicus,' or 'Kehama' be more frequently cited than the 'Thebaid.'

In 1816, and in his forty-second year, Southey adverts to the decline of his poetical powers. Was this also, like his belief that he should die in harness, a premonition of intellectual decay? 'I am inclined to think,' he says, in a letter to Sir Walter Scott, 'that my service to the Muses has been long enough, and that I should perhaps have claimed my discharge. The ardour of youth is gone by. However I may have fallen short of my own aspirations, my best is done; and I ought to prefer those employments which require the matured faculties and collected stores of declining life.' It was a subject of congratulation to Dr. Arnold that the great observer of mankind, the philosopher Aristotle, had pronounced the age of forty-seven as the culminating year of the human intellect. Southey appears to have felt earlier the inroads of time and toil. Ten years later we find him lamenting the decreased sale of his writings. He had produced

each successive work with apparently a sure and certain hope of success and perpetuity. His latest work was always, in his own estimation, his best. But in 1828 he says, 'From the public my last proceeds were: — For the "Book of the Church" and the "Vindiciae," per John Murray, *nil*; and for all the rest of my works in Longman's hands, about 26*l.* My books have nearly come to a dead stand-still in their sale; so that if it were not for reviewing, it would be impossible for me to pay my current expenses.'

Periodical writing had indeed been at all times Southey's sheet anchor. He pays it himself the homely compliment, that 'it made the pot boil.' The 'Edinburgh Annual Register' had yielded him for a time an annual income of 400*l.*; and when he ceased to conduct its historical department, the 'Quarterly Review' made up for its loss. But although Southey was well inclined to think highly of his poetical and historical compositions, — so much so indeed as to compare 'Madoc' with the *Odyssey*, and the 'History of Brazil' with Herodotus! — he was equally disposed to underrate his contributions to periodical literature. His letters frequently express a poignant regret that these ephemeral tasks should engross so much of his time. In case abstinence from this 'drudgery,' for such he terms it, would have ensured the completion of his grander historical projects — the histories of the Monastic Orders, of Portugal, and of English Literature — we should cordially echo his regret; and, as it is, we deeply lament that national or royal bounty should not have enabled him, while he had yet the power, to accomplish designs so well suited to his genius, and so likely to have remained 'possessions for ever.' But we cannot regret that Southey should have added, by his enforced labour, so many beautiful chapters to the current and more consumable literature of his age. As a critic, indeed, he ranks below Lessing and the Schlegels. He was less analytic than Coleridge, less discriminating than Mr. Hallam, and less pictorial than Mr. Macaulay. But he possessed, in an unusual degree, the requisites for periodical composition. His clear, masculine, and harmonious style, it is superfluous to commend. His universal reading enabled him to adorn every subject that he treated. He passed from one topic to another with the versatility of an advocate passing from the Crown Court to Nisi Prius; and his fancy was never more happily employed than in enlivening the themes of another, whether dull and superficial, or lively and well informed, with his own pithy analogies or humorous allusions. To the 'Quarterly Review' alone he furnished, in the course of thirty years, nearly a hundred articles. His aid and reputation are well known to have contributed

most materially and in many respects most justly to the early success and permanent celebrity of that journal.

The friends of Southey proposed or attempted many schemes for the improvement of his worldly circumstances. But every successive scheme proved either impracticable or unadvisable. Some we have already noticed. In 1809 he applied for the stewardship of the Derwentwater estates belonging to Greenwich Hospital. Their proximity to Greta Hall, and the annual salary of the office, 700*l.*, were obvious recommendations. But, upon inquiry, the duties of the stewardship were wholly unsuited to his habits and pursuits. ‘The place of residence varied over a tract of country of about eighty miles.’ This was too roving a commission for one whose tap-root was so firmly fixed to one spot. And the steward was expected to be ‘a perfect agriculturist, land-surveyor, mineralogist, and lawyer.’ Now of farming Southey knew as much as Virgil or ‘honest Tusser,’ could teach him; he had probably never measured his own garden by any other gauge than long strides; he did not know granite from oolite; and he had long shaken hands with law. ‘For my own part,’ writes Mr. Grosvenor Bedford, after recounting the Protean functions of the steward, ‘I would rather live in a hollow tree all the summer, and die when the cold weather should set in, than undertake such an employment.’ The situation of librarian to the Advocates’ Library at Edinburgh, with a salary of 400*l.* a-year, and with the prospect of an increase, was offered him in 1818; but this, as well as a proposal to take part in the political management of the ‘Times’ newspaper, were declined by him,—the one, because it would have obliged him to live in a great city, the other, because it would have tied him down to a certain line of opinions, to both of which he was equally averse. Southey, indeed, was not an easy man to serve or suit. His constitutional cheerfulness rendered him comparatively indifferent to preferment; while his love of home, and his inveterate habits of study, indisposed him to change and removal. ‘The truth is,’ he said, ‘that I have found my way in the world, and am in that state of life to which it has pleased God to call me, and for which it has pleased Him to qualify me. At the same time my means are certainly so straitened that I should very gladly obtain an addition to them, if it could be obtained without changing the main stream of my pursuits.’ By the university of Oxford he was clothed with the highest honour which that learned body can bestow upon a layman—the title of Doctor—of which he made no use, and which ‘put nothing in his purse.’ Two other distinctions, of which men of more ambition or of less simplicity and independence would have been proud,

he refused — a baronetcy, as inconsistent with his means, and a seat in Parliament, as incompatible with his pursuits. The laureateship, which was conferred on him principally through the intervention of Sir Walter Scott, was a more substantial boon, since it enabled him, by a fresh life-insurance, to make further provision for his family ; and the subsequent pension, so gracefully granted and received, at the hands of Sir Robert Peel, might have been a national benefit, had it been given earlier. There is, perhaps, no country in Europe so deficient as England in appropriate provisions for literary men who are not connected with the universities, or who have not taken refuge in the Church. Of literature itself the State takes little or no cognisance. It is difficult for contemporaries to gauge its merits ; it is still more difficult for a government to apportion its rewards.

For one who travelled late in life, and whom it was so difficult to detach from home, Southey travelled extensively, at least at a time when as yet railways were not, and the diligence and post-waggon retained their aboriginal tardiness. The records of his ‘trips’ are so agreeable, that we cannot help wishing that ‘to travel and tell his travels had been more of his employment.’ He was among the crowd of English who hurried to the Continent in 1815 ; and the ‘Poet’s Pilgrimage to Waterloo’ is one of the fruits of his first journey. He had watched the fluctuations of the mighty struggle between Europe and England, and finally between Europe and Napoleon, with all the ardour of his temperament, and hailed its unexpected termination with unbounded and indiscriminating joy. For his prophecies of a triumphant issue he took more than due credit : the inexorable end came to pass indeed, not, however, so much by the standing up of kings, as by the banding together of nations. With the immediate results of the Great Peace he appears to have been altogether dissatisfied. The world did not revert entirely to the year 1788 ; and therefore Southey complained that the revolutionary serpent was not killed, but only scotched. Throughout his remarks upon the social and political state of England at this time, — from 1816 and for several years afterwards, — upon the measures of government as well as upon the tactics of opposition, — we can discern little sagacity, little sound information, and even less tolerance and comprehensiveness, than we could imagine possible in a spectator so intelligent and so much in earnest. He indulged in a species of pastoral dream about the superior honesty and happiness of the ‘felices agricolæ :’ he feared and hated manufactures : he was opposed to freedom of commerce : he identified dissent with disaffection : he sighed for the Church of Laud and for the policy of Burleigh and the Tudors. Yet

what else could be expected from one whose days were passed with the dead, and who, according to his biographer, ‘long as he had resided at Keswick, knew scarcely any thing of the persons among whom he lived.’ These remarks must not be thought ungracious: our opinions upon Southey’s social and political theories have often been unreservedly expressed; and, in support of them, we appeal to the contrast between his essays upon subjects he understood and his essays upon subjects on which he only felt. Let readers, who distrust our judgment, compare his papers in the ‘Quarterly Review,’ upon ‘Monastic Institutions, Cemeteries, and the Copyright Act,’ with his papers on ‘The Manufacturing System, Parliamentary Reform, and the Rise and Progress of Disaffection,’ and he will admit — unless we greatly err — that, in political controversy, he had, in Milton’s expressive phrase, ‘the use only of his left hand.’

Southey’s literary reputation rendered him a welcome and an honoured visitant in whatever quarter his continental excursions were directed; but nowhere was he more welcome than in Holland, and in no family more completely domesticated than in that of Bilderdijk the poet. Mrs. Bilderdijk had translated ‘Roderick’ into her native language, and made its author famous in the Low Countries. Her husband — like Southey himself — was, in his domestic circle, full of life, spirits, and enthusiasm; and, as there is some resemblance in the character of their poetry, so there was a close accordance in the general opinions of the brother bards. An accident, which put a stop to Southey’s journey in 1825, and consigned him to the sofa instead of the diligence and packet-boat, tended directly to foster their new friendship. He became an inmate in Bilderdijk’s house; was nursed by his fair and accomplished translator; and, in the blooming promise and home-education of her son Lodowijk, saw reflected the image of his own hearth. The learned stores of the hospitable Verbeyst — whose Rhenish was as good as any, and whose beer was the best in the world — furnished the library at Keswick with many ponderous and important recruits; while the letters from Leyden in 1825 are as delightful a picture of a scholar on his travels, as is his general correspondence of his daily life in Cumberland.

“We have already alluded to the early working out of Southey’s poetical vein; so contrary to the experience of greater poets. After the publication of ‘Roderick,’ in 1814, he produced nothing of moment in poetry, and the *Corpus Southeyianum* — for so his collected epics might be called — was obscured by the more fervid and genial brilliance of Byron and Moore, of Shelley and Wordsworth. But Southey’s poetic

spring was succeeded by a long and fruitful season of prose writings; of which some few were comparatively still-born, but many of them survive and will probably last as long as the English language. In his Life of Nelson, first published in 1813, he opened, in our opinion, the true vein of his genius — Biography ; and, if we were required to perform for his works a service similar to that which the priest and barber rendered to the library of Don Quixote, we would at once rescue from the purgatory flames his Lives of Nelson, Wesley, and Cowper. Southey was naturally too voluminous to be safely entrusted with a subject of ample verge and margin. The narrower limits of biography were salutary for his genius. They compelled him to be brief, without denying him the privilege of short excursions and legitimate ornament. His diction too, smooth and rhythmical as it was, was also in a still higher degree colloquial. In anecdotes he delighted, and he told them well : he read character — at least the characters of the dead — acutely, and he delineated it perspicuously ; his command of illustrative matter was unbounded, and he framed his portraiture with it most skilfully. On these accounts, had he executed his design of continuing Warton's History of English Poetry, he would in all respects, except epigrammatic vigour, have probably surpassed 'Johnson's Lives of the Poets.' This is on the supposition, — first, that his continuation would have been made on other principles than those which Mackintosh justly censures as having misled him in his 'Specimens of the later English Poets,' — and, next, that his code of anti-Johnsonian criticism would have been reduced within the bounds of reason. Of Southey's three historical works, the Narrative of the Peninsular War has long been dead, if, indeed, it can be said to have lived at all. It was constructed on Raleigh's and Howell's plan of perpetually stopping progress to discuss the origin of every place or circumstance he had occasion to introduce. His 'Book of the Church' will always be read with pleasure for its style, but cannot be trusted for its assertions. Had it been as impartial as it is picturesque, it would be one of the most delightful of manuals. But the temper in which it is written will satisfy those alone who are predetermined to think Laud in the right, and the Puritans and Long Parliament in the wrong. The 'History of Brazil' is a performance of far higher merit than either of the fore-mentioned works. Its subject alone is a drawback upon its popularity, for few persons have any special motive for studying the records of a Portuguese settlement in three quarto volumes. The materials on this occasion were collected by his uncle, Herbert Hill, were themselves unrivalled in value, and

were accessible at the time to none but the historian. His whole heart was in this book: it was an episode in his long-cherished History of Portugal: and the labour of love was discharged with unwonted vigour and alacrity. In his account of the Brazils no political antipathies disturb the genial current of his fancy. He revels in glowing descriptions of the marvels of tropical nature, the picturesque features of savage life, and the chivalrous adventures of the European settlers. The 'Colloquies' and the 'Doctor' combined display the twofold aspect of Southey's character — its earnest and its sportive side. The earlier of these works has been described by Mr. Macaulay in a former number of this Journal. The latter, besides its odd learning and Shandean turn of speculation, exhibits in the character of the Doves, and in a most graceful love-story, powers which, more sedulously cultivated, might have enrolled their author in the goodly company of British novelists.

We have endeavoured to delineate Robert Southey as he lived at Greta Hall, as he appeared to the world, and in his relations to literature. But we must now hasten onward to the mournful and affecting close of his career. His works had enriched various departments of English literature; honours had been lavished upon him by native and foreign universities; and his acquaintance was sought by all who had a respect for learning and a knowledge of his worth. He had indeed drunk deeply of the cup of affliction, but he had also enjoyed and recognised his enjoyment of no ordinary share of earthly happiness. Death and marriage had, indeed, narrowed the circle at Greta Hall; but his faculties were still unclouded, and his energy was yet unimpaired. He continued to delight in his mountain rambles, in his annual tour, in correspondence and hospitality; and he looked forward, with characteristic cheerfulness, to the completion of the works which he had in hand, and to the accomplishment of literary plans more extensive still. But the cloud which was destined to settle permanently on his intellect began to gather its sombre folds around him in the summer of 1826. In the June of that year, in company with Mr. H. Taylor and Mr. Rickman, he made a short tour in Holland, and revisited the Bilderdijks at Leyden. His return to Keswick from all former excursions had been an event of the liveliest interest both to the travellers and to those who had remained at home. He was now welcomed with tears and sad anticipations. His youngest daughter, Isabel, was laid on a bed of sickness from which she never rose.

The precarious nature of her husband's income had been the cause of almost life-long anxiety to Mrs. Southey, and it combined with the recurrence of domestic bereavement to undermine her

naturally nervous constitution. Keswick, alternately, as we have seen, a lonely and much-visited abode, was considered, in 1834, when her mental malady had reached its crisis, too unquiet a residence for one no longer competent to even family duties; and it became necessary to place her in a lunatic asylum at York. She returned to Keswick, only to die in the bosom of her family. Her mental disorder lasted three years. The afflicted husband sustained with Christian fortitude this last and heaviest trial, but when the necessity for exertion ceased, he had become an altered man. 'I feel,' he says in one of his letters at this period, 'as one of the Siamese twins would do, if the other had died and he had survived the separation.' A tour in the West of England in 1837, and a brief excursion into Normandy, Brittany, and Touraine, in the autumn of the following year, were the last of his summer journeys. His fellow-travellers remarked the change which was stealing over him. All his movements were slower; he was liable to frequent fits of absence; his journal, once so minute, was at first irregularly kept, and then laid aside; his clear and compact handwriting became feeble and indistinct, like the early efforts of a child.

With the following anecdote, we shall drop the curtain upon the parting scene of this tragic history. Addison has finely remarked, that Babylon in ruins is not so affecting or so solemn a spectacle as a noble intellect overthrown. In Southey's ashes still lingered their wonted fires:—

'One of the plainest signs,' says Mr. Cuthbert Southey, 'that his over-wrought mind was completely worn out, was the cessation of his accustomed labours. But while doing nothing (with him how plain a proof that nothing could be done), he would frequently anticipate a coming period of his usual industry. His mind, while any spark of its reasoning powers remained, was busy with its old day-dreams — the History of Portugal — the History of the Monastic Orders — the Doctor; all were soon to be taken in hand in earnest, all completed, and new works added to these. For a considerable time after he had ceased to compose, he took pleasure in reading; and the habit continued after the power of comprehension was gone. His dearly-prized books, indeed, were a pleasure to him almost to the end; and he would walk slowly round his library looking at them, and taking them down mechanically. In the earlier stages of his disorder (if the term may be fitly applied to a case which was not a perversion of the faculties, but their decay,) he could still converse at times with much of his old liveliness and energy. When the mind was, as it were, set going upon some familiar subject, for a little time you could not perceive much failure; but if the thread was broken, if it was a conversation in which new topics were started, or if any argument was commenced, his powers failed him at once, and

a painful sense of this seemed to come over him for the moment. His recollection first failed as to recent events, and his thoughts appeared chiefly to dwell upon those long past ; and, as his mind grew weaker, these recollections seemed to recede still farther back. Names he could rarely remember, and more than once, when trying to recall one which he felt he ought to know, I have seen him press his hand upon his brow, and sadly exclaim, — “Memory, memory ! ‘where art thou gone?’ ”

In a dark and stormy morning of March, 1843, the mortal remains of Southey were deposited in their final abode, in the churchyard of Crosthwaite. The over-toiled brain, the liberal and capacious heart at length rested in the bosom of the mountain land which he had adopted and loved to the last so well. After life's fitful fever he sleeps well, surrounded by the graves of the children and the wife who had passed away before him. Of the literary contemporaries who eclipsed or equalled his celebrity, Mr. Moore and Mr. Rogers are now, we believe, the sole survivors. A great cycle has nearly closed which a distant and reverent posterity will regard as second only to the Elizabethan era. On that bede-roll of English worthies the name of Robert Southey will be indelibly inscribed.

ART. IV.—Souvenirs d'un Voyage dans la Tartarie, le Thibet, et la Chine, pendant les Années 1844, 1845, et 1846. Par M. Huc, Prêtre Missionnaire de la Congregation de St. Lazare. 2 vols. Paris : 1850.

ABOUT the end of 1846, Mr. Alexander Johnston, son of the late Sir Alexander, and secretary to Her Majesty's Minister Plenipotentiary in China, was fellow-passenger on board the steamer from Hong-Kong to Ceylon with a French Lazarist Missionary, named Joseph Gabet. It appeared that M. Gabet was then on his way from China to Paris, intending, should circumstances be favourable on his arrival, to bring under the notice of the French Government the ill treatment which he himself and a brother missionary had experienced at Lhassa, from *Ke-shen*, resident on the part of the Emperor of China at the Court of the Grand Lama. Some of our readers will recognise in this name that of the Imperial Commissioner who was opposed to Captain Elliot, in 1839, at Canton ; and who, on account of the disasters which befell the Chinese arms, was disgraced, plundered, and even condemned to death by the Emperor, but has since, with marvellous expedition, contrived to regain nearly all his former honours and credit, and even a great portion of his former wealth, which was colossal, as we

shall see. Mr. Johnston found the narrative of M. Gabet so curious and interesting, as the most recent and authentic account of Thibet in its relation to China, that he noted down the principal heads at the time, and, on returning to his official post, presented the manuscript to Sir John Davis, who forwarded a copy in his despatches to Lord Palmerston.

Nothing more was heard about the matter, until the appearance of these two volumes, by M. Huc, the companion of M. Gabet in all his adventures. A more interesting as well as diverting book has seldom issued from the French press. The qualifications of a Humboldt are not to be expected in a missionary priest. And though it should contribute nothing to the geographer or *savant*, we might well be grateful for its information regarding countries nearly inaccessible to Europeans; but this information is conveyed in such an inexhaustible strain of good humour and fun, as amply to repay the perusal of any class of readers. In these points M. Huc bears some resemblance to his English *namesake*, Theodore; as we may almost call him.

Some eight years before the late 'Papal Aggression,' His Holiness of Rome took a rather smaller liberty with the Emperor of China, by appointing a vicar apostolic to Mongol Tartary. The next thing was to ascertain, if possible, the extent and nature of this gigantic vicariat. However dreadful the intolerance and oppression under which Romish priests groan among us, they are a good deal worse off in the Celestial Empire; and yet there, strange to say, they are as quiet as lambs, and the government seldom hears of them, except when some stray missionary is detected and packed off to the coast, for foreign shipment. MM. Gabet and Huc, who happened to be residing a little to the north of the Great Wall, in Eastern Tartary, at the commencement of 1844, were appointed by their spiritual superior to make their way as well as they could through Western Tartary to Lhassa, the capital of Thibet, and the holy see of Lamanism. This might look, at first sight, like taking the bull by the horns. The reader will find, however, to his surprise, that all the opposition they experienced was not *ecclesiastical*, but *lay*,—not religious, but political; and that while they received every encouragement and hospitality from the Lama's government, they were baffled, and at length expelled, by the exertions of the Chinese resident, or ambassador, Ke-shen.

In China a Romish bishop or priest is obliged to pass himself off, as well as he can, for a native, in the lay dress of the country; but they were now going to enter a nation of priests, and therefore prepared to disguise themselves as Lamas. Off went

the tail, which had been cherished ever since their departure from France, leaving the head entirely shaven. A long yellow robe was fastened on the right side by five gilt buttons: it was drawn round the waist by a red girdle. Over this was worn a short red jaeket, without sleeves; or, as they call it in Chinese, ‘a back and breast;’ having a narrow collar of purple velvet. A yellow hat with broad brim, and surmounted by a red silk button, finished off their new costume. Their only attendant was a young Mongol neophyte, named *Samdadchiemba*, who is thus described: — ‘Un nez large et insolemment retroussé, une grande bouche fendue en ligne droite, des lèvres épaisse et saillantes; un teint fortement bronzé, tout contribuait à donner à sa physionomie un aspect sauvage et dédaigneux.’ This Tartar Adonis had charge of two camels and a white horse, which, with a tent and a dog to guard it, completed the equipment of our adventurous missionaries for the desert. They had no other guide for their route than a compass and a map of the Chinese empire, published in Paris.

The apprehensions expressed by the friends whom they left behind, regarding what they might suffer in the journey to Lhassa, were fully answered in the event. M. Gabet well nigh sank under the extreme hardships of this savage and nomadic life; first across an inhospitable desert, and then over mountains to which the Alps are trifles. From plunder they escaped tolerably free, though the Mongol robbers would seem to be the civilest in the world. Instead of rudely clapping a pistol to your breast, they blandly observe, ‘Venerable elder brother, I am tired of going a-foot, please to lend me your horse; I am without money, do give me the loan of your purse; it is very cold to-day, let me have the use of your coat.’ If the venerable elder brother has the charity to comply, he is duly thanked; but if not, the humble appeal is supported by the cudgel; and, should this not do, by something more coercive still. Very little better than the professional robbers were any bands of Chinese soldiers with whom they might have the bad luck to fall in, and whose neighbourhood, therefore, they diligently shunned. During the war with England, on the north-east coast, these ragamuffin troops were so dreaded by their own countrymen that, when the process of civilised warfare came to be known and understood by the Chinese people, the latter often welcomed us as deliverers, and their satisfaction was increased when the public granaries were thrown open to them for nothing.

Our missionaries had a characteristic account of the war with England from a Tartar, whom they met in the desert:

"‘What, were all the Tartar banners called together?’—‘Yes, all. At first it passed for a very small matter; every one said it would never reach us. The troops of *Kitat** (China) went first of all, but they did nothing. The banners of Solón also marched, but they could not resist the heat of the south. The Emperor then sent us his sacred order. . . . On the same day we marched to Peking, and from Peking we went to *Tien-tsin*, where we remained three months.’—‘But did you fight—did you see the enemy?’—‘No; he did not dare to show himself. The Chinese protested every where that we marched to certain and unavailing death.—‘What can you do,’ said they, ‘against these sea-monsters?—They live in the waters like fish. When least expected, they appear on the surface, and throw combustible balls of iron. When the bow is bent against them they take again to the water like frogs.’ Thus it was they tried to frighten us, but we soldiers of the eight banners are ignorant of fear. The Emperor had provided each leader a Lama instructed in medicine, and initiated in all the sacred auguries. They would cure us of the diseases of climate, and save us from the magic of the sea-monsters—what, then, need we fear? The rebels, on hearing that the invincible troops of *Tchakar* approached, were seized with alarm, and asked for peace. The sacred master (*Shing-chu*) of his immense mercy granted it, and then we returned to our pastures, and to the charge of our flocks.’”

It is known for certain that when the British force had reached Nanking and the grand canal in 1842, the Emperor so fully expected a visit at Peking that he stationed a force at *Tien-tsin*, as stated by the Tartar, and made every preparation to decamp into Tartary himself. In the confusion of packing up, some dexterous persons contrived to rob the treasury of several millions, and to this day the culprits have never been detected. The parties considered responsible, however, were, with all their relations and connexions, made answerable for the restoration of the treasure to the third and fourth generation. Without adverting to this circumstance, M. Huc observes, in another place, that during the progress of the war with the English, ‘nous savions que l’empereur était aux abois, et qu’il ne savait où prendre l’argent nécessaire pour empêcher de mourir de faim une poignée de soldats qui étaient chargés de veiller à l’intégrité du territoire Chinois.’

The most distinguished hero, sent by the Emperor to exterminate the English during our war, was a Chinese general named Yang. This man had enticed the unfortunate Mahomedan chief, Jchanghir, in the war with Cashgar, to trust himself in his hands, and then sent him in a cage to Peking, where, after amusing the Emperor, he was cruelly put to death. M. Huc heard the following account of Yang’s tactics:—

* Thus, the Chinese town at Moscow is called *Kitaigorod*, and Marco Polo always calls China *Kathay*, anglicè, *Kathai*.

' Aussitôt que l'action s'engageait, il faisait deux grands nœuds à sa barbe pour n'en être pas embarrassé ; puis il se portait à l'arrière de ses troupes. Là, armé d'un long sabre, il poussait ses soldats au combat, et massacrait impitoyablement ceux qui avaient la lâcheté de reculer. Cette façon de commander une armée paraîtra bien bizarre ; mais ceux qui ont vécu parmi les Chinois y verront que le génie militaire du général Yang était basé sur la connaissance de ses soldats.'

His tactics certainly did not succeed against our troops, and as he never made his appearance, it is supposed that he occupied his favourite place of honour at the tail of the rear guard, and led gallantly in a retreat. ' Nous avons demandé,' says M. Huc, ' à plusieurs mandarins pourquoi le Batourou Yang n'avait pas exterminé les Anglais : tous nous ont répondu qu'il en avait eu compassion.'

We have a terrible description in these volumes of Tartar uncleanliness, and several of the details on this subject are quite unpresentable. The dogma of the transmigration of souls acts, it seems, with some as a protection to the vermin with which they are infested. The interior of their tents is repulsive and almost insupportable to those unaccustomed to the odours that prevail there. Dirty as the Chinese may be, their northern neighbours far exceed them ; the former at least have taken it upon themselves to settle the question, by calling the latter *Chow Ta-tsze*, ' stinking Tartars,' as systematically as they call Europeans ' foreign devils.'

This clever and indefatigable, but not too scrupulous, race, have nearly displaced the Manchous in their original country to the north-east of the Great Wall, and almost as far as the river Saghalien.* The Chinese are the men of business and shopkeepers in all towns, and have very little mercy on the comparatively honest and simple Tartars. It is impossible to help laughing at the stories of their ingenious rascality. They are in fact the *chevaliers d'industrie*—the *Scapins* and *Mascarilles* of Eastern Asia. M. Huc, in the following passage, gives an account of their tricks, which might have applied very closely to the way in which they treated our poor sailors in the south of China :—

' When the Mongols, an honest and ingenuous race as ever was, arrive in a trading town, they are immediately surrounded by Chinese, who carry them off home as it were by force. Tea is prepared, their beasts looked to, a thousand little services rendered. They are

* ' Maintenant on a beau parcourir la Mantchourie jusqu'au fleuve Amour. C'est tout comme si on voyagait dans quelque province de Chine.'

caressed, flattered, magnetised in short. The Mongols, who have nothing of duplicity in their own character, and suspect none in others, end by being moved and touched by all these kindnesses. They take in sober earnest all the professions of devotion and fraternity with which they are plied, and, in a word, persuade themselves that they have had the good fortune to meet with people they can confide in. Aware, moreover, of their own inaptitude for commercial dealings, they are enchanted at finding brothers—*Ahatou*, as they call it,—who are so kind as to undertake to buy and sell for them. A good dinner *gratis*, which is served in a room to the rear, always ends by persuading them of the entire devotion of the Chinese confederacy. “If these people were interested,” says the honest Tartar to himself, “if they wished to plunder me, they would hardly give me such a good dinner for nothing; they would not expend so much money on me.” It is generally at this first repast that the Chinese bring into play all that their character combines of villainy and trickery. Once in possession of the poor Tartar, he never escapes. They serve him with spirits in excess, and make him drink till he is fuddled. Thus they keep possession of their victim for three or four days, never losing sight of him, making him smoke, drink, and eat; while they sell his live stock, and purchase for him whatever he may want, charging him generally double or triple for every thing.’

M. Huc puts in a strong light that appropriation to themselves of Manchow, or Eastern Tartary (the country of their last conquerors), which has been effected by the Chinese within something more than a century, and to which we have already alluded. In a map of this country, constructed by the Jesuits, Père Dulhalde states his reason for inserting the Tartar names, and not the Chinese. ‘Of what use,’ says he, ‘would it be to a traveller in Manchouria to know that the river *Saghalien* is called by the Chinese *Hé-loung-Keang* (river of the Black Dragon), since he has no business with them, and the Tartars, with whom he has to deal, know nothing of this name?’ ‘This observation might be true in the time of Kanghy,’ says M. Huc, ‘when it was made, but the very opposite is the fact at present; for the traveller in Manchouria now finds that he has to deal with China, and it is of the *Hé-loung-Keang* that he hears, and not of the *Saghalien*.’ In our own colonies, the rapidly increasing numbers and wealth of the Chinese, where they exist, are apt to give them a degree of presumption which, with the aid of their vices, might make them troublesome, were it not for the wholesome dread they entertain of European power, wherever they happen to be really acquainted with it.

M. Huc explains how Thibet, and even Mongol Tartary, to a considerable extent, is a nation of Lamas. He says he may venture to assert that in Mongolia they form at least a third of the whole population. In almost every family, with the excep-

tion of the eldest son, who remains '*homme noir*,'* all the rest of the males are destined to be Lamas. Nothing can be more obvious than the fact that, in China Proper, Buddhism and its temples are in ruins, and the priests left in a starving condition; while, on the other hand, the government gives every encouragement to Lamanism in Tartary. The double object is said to be thus to impose a check on the growth of the population, and at the same time render that population as little warlike as possible. The remembrance of the ancient power of the Mongols haunts the court of Peking. They were once masters of the empire, and, to diminish the chances of a new invasion, the study is now to weaken them by all possible means.

With this large proportion of the male population condemned to celibacy, M. Huc gives us the following reasons for his thinking that polygamy, under all the circumstances, is the best thing for the Mongol Tartars.† It seems generally to have existed in the pastoral and nomadic state.

'La polygamie, abolie par l'Evangile, et contraire en soi au bonheur et à la concorde de la famille, doit être considérée peut-être comme un bien pour les Tartares. Vu l'état actuel de leur société, elle est comme une barrière opposée au libertinage et à la corruption des mœurs. Le célibat étant imposé aux Lamas, et la classe de ceux qui se rasant la tête et vivent dans les lamaseries étant si nombreuse, si les filles ne trouvaient pas à se placer dans les familles en qualité d'épouses secondaires, il est facile de concevoir les désordres qui naîtraient de cette multiplicité de jeunes personnes sans soutien, et abandonnées à elles-mêmes.'

The married state, however, is any thing but the conjugal,

* This is a distinguishing term for the Laity, who wear their black hair, while the Lamas shave the whole head.

† M. Huc is here treating of the Mongol Tartars; not of the Thibetians. Father Regis in his memoir annexed to Duhalde, speaking of the polyandry of Thibet, states expressly that 'the Tartars admit of no such irregularity.' Turner, Moorcroft, and Skinner found a plurality of husbands common at Teshoo Loomboo, Ladak, and on the Himalayas. We found it too in Ceylon, as Caesar had found it in Britain. Barbarous as the custom seems to us, and inexplicable by any supposed disproportion of the sexes, we perceive no more satisfactory explanation of its existence among the Thibetians, than among the Nairs in Malabar. There is no incompatibility, it is true, between Polygamy and Polyandry. The Nair, we suspect, does not limit himself to his coparcenary wife: And in the Mahabarat, although Draupadi is the wife of the Five Pándus brothers, some of them,—if not all,—and Arjuna especially, have several other wives. But, in case M. Huc found Polyandry at Lhassa, in either form, the omission is unaccountable. It must have been as great a novelty to a European, as he rumour of Mr. Hodgson's 'live unicorn.'

in the literal and derivative sense of the term. The husband can send back the lady to her parents without even assigning a reason. He is quits by the oxen, the sheep, and the horses which he was obliged to give as the marriage present; and the parents, it seems, can sell the same merchandise over again to a second bidder!

Our travellers in their progress westward had to cross the Yellow River more than once where it makes a bend northwards through the Great Wall and back again, enclosing in this curve an area of some three degrees square, the miserably waste and sandy country of the Ortous. Unhappily for the poor missionaries, this ruthless and ungainly stream (which a late emperor justly called ‘China’s sorrow’) was in its frequent condition of overflow, and we have a pitiable description of the miseries endured by themselves and their camels, of all beasts the least adapted to deal with floods. The waters of the Yellow River, pure and clear at their source among the Thibet mountains, do not assume their muddy tinge until they reach the alluvial tracts of the Ortous, where they spread over thousands of acres during the inundations, altogether concealing the bed of the stream. Being from this point always nearly on a level with the country through which they flow, this defect of *encasement* is the cause of disastrous accidents, when the rapid stream is swollen by melting snows near its source. The same velocity, which charges the river thickly with comminuted soil, prevents its deposition on the passage until it reaches the provinces of *Honan* and *Keangnan*, where the actual bed of the river is now higher than a great portion of the immense plain through which it runs. This evil being continually aggravated by further depositions of mud, a fearful catastrophe seems to overhang that unfortunate region; at the same time that the constant repair of the dikes taxes the ingenuity, while it exhausts the treasury, of the Chinese government. Sir John Davis offered to the minister Keying, a relation of the Emperor, the aid of English engineers in an emergency where science could scarcely fail of beneficial results; but he shook his head, and said he dared not even mention the subject.

The personal observations of M. Huc settle the question as to the real nature and amount of what is called the ‘Great Wall’ towards the west:—

‘We had occasion,’ he says, ‘to cross it at more than fifteen different points, and several times we travelled for whole days in the line of its direction, and kept it constantly in view. Often, in lieu of those double turreted walls, which exist near Peking, we met with nothing more than a simple piece of masonry, and sometimes a modest rampart of earth. We even occasionally saw their famous wall

reduced to its most simple expression, and composed solely of some heaped stones.*

It may be observed, with reference to the land frontiers of the Chinese empire on the west, that the authority of the Emperor, instead of abruptly encountering the hard outline of an entirely independent authority, is shadowed off by something of a blended jurisdiction. ‘ Il existe dans le *Kan-sou*, et sur les frontières de la province de *Sse-Tchouan*, plusieurs peuplades qui se gouvernent ainsi elles-mêmes, et d’après des lois spéciales. Toutes portent la dénomination de *Tou-sse*, à laquelle on ajoute le nom de famille de leur chef ou souverain.’ (P. 36.) We find in another place that this prevails to the south-west, on the borders of Ava. ‘ On the outskirts of the empire, towards the west, are a number of towns or stations, called *Too-sse*, or “native jurisdictions,” where the aborigines are more or less independent, and where there is, in fact, a kind of divided authority, each party being immediately subject to its own chiefs. This is particularly true of the Lolas.’—*The Chinese*, vol. i.

It is an odd result of our war with China, that something of the same principle should have been established by treaty at the Five Ports of trade on the opposite side of the empire. British subjects are there entirely independent of the Chinese law, and governed by their own consuls, who act under ordinances framed by the governor and legislative council of Hong-kong, confirmed by her Majesty in Council. The inference from the frequency of these ‘ native jurisdictions’ is, that Chinese law, as administered towards foreigners, becomes intolerable; so at least it proved at Canton.

It would be a pity to spoil the following passage by a translation:—

‘ Notre aubergiste, un Chinois pur-sang, pour nous donner une preuve de sa sagacité, nous demanda sans tergiverser si nous n’étions pas Anglais; et pour ne laisser aucun doute à sa question, il ajouta qu’il entendait par *Ing-kie-li* les “diablos marins” qui faisaient la guerre à Canton.—Non, nous ne sommes pas Anglais; nous autres, nous ne sommes diables d’aucune façon, ni de mer, ni de terre. Un

* ‘Père Gerbillon informs us, that beyond the Yellow River, to its western extremity (or for full one half of its total length), the wall is chiefly a mound of earth or gravel, about fifteen feet in height, with only occasional towers of brick. Marco Polo’s silence concerning it may therefore be accounted for on the supposition that, having seen only this imperfect portion, he did not deem it an object of sufficient curiosity to deserve particular notice, without the necessity of imagining that he entered China to the south of the great barrier.’—*The Chinese*, vol. i.

désœuvré vint fort à propos détruire le mauvais effet de cette interpellation intempestive.—Toi, dit-il à l'aubergiste, tu ne sais pas regarder les figures des hommes. Comment oses-tu prétendre que ces gens là sont des *Yang-kouei-tse*? Est-ce que tu ne sais pas que ceux-ci ont les yeux tout bleus, et les cheveux tout rouges? — C'est juste, dit l'aubergiste, je n'avais pas bien réfléchi.—Non, certainement, ajoutâmes-nous, tu n'avais pas bien réfléchi. Crois-tu que des monstres marins pourraient, comme nous, vivre sur terre, et seraient capables d'aller à cheval? — Oh, c'est juste, c'est bien cela; les *Ingkie-li*, dit-on, n'osent jamais quitter la mer; aussitôt qu'ils montent à terre, ils tremblent et meurent comme les poissons qu'on met hors de l'eau. On parla beaucoup des mœurs et du caractère des diables marins, et d'après tout ce qui en fut dit, il demeura démontré que nous n'étions pas du tout de la même race.'

These volumes contain the most detailed and complete account of Lamanism that we remember ever to have met with; and they confirm, on the authority of these Romish priests themselves, the astonishing resemblance that exists between the external rites and institutions of Buddhism and those of the Church of Rome. Besides celibacy, fasting, and prayers for the dead, there are enshrined relics, holy water, incense, candles in broad day, rosaries of beads counted in praying, worship of saints, processions, and a monastic habit resembling that of the mendicant orders. Although our worthy missionaries call the images of Lamanism *idols*, and the Romish idols *images*, we do not think the distinction is worth much, and therefore may throw in this item with the rest; the more especially as, on the summary principle of 'inveniam viam, aut faciam,' the commandment against idol worship has been thrust bodily out of their Decalogue by the Romanists, as may be seen from any copy of the Missal. It is remarkable that these very missionaries had an image made for their own adoration, from a European model, at a place on their journey where a huge image of Buddha had just been cast, and sent off to Lhassa. (Vol. i. p. 41.) Thus the object of their worship was a molten image, the work not only of men's but Pagan hands, employed indifferently for either Buddhism or Romanism.

It is at once curious, and an instructive lesson to unprejudiced minds, to observe that M. Huc, while he indulges in pleasantries at the expense of the Buddhists, entirely forgets how applicable his sarcasms are to his own side of the question. After describing an assembly in a college of Lamas, where the explanations given by the priests or professors on certain points of their religion proved as vague and incomprehensible as the thing to be explained, he adds, 'On est, du reste, convaincu que la substance limité d'une doctrine est en raison directe de son obscurité et

‘de son impénétrabilité.’ Let us only suppose M. Huc expounding to these Lamas the dogma of Transubstantiation, and adding, in testimony of its truth, that St. Ignatius Loyola, with eyesight sharpened by faith, declared he actually *saw* the farinaceous substance changing itself into flesh. ‘Les hommes,’ observes our author in another place, ‘sont partout les mêmes! ’

The jokes, in which M. Huc indulges against the devotees and recluses of Buddhism, are similar to what have been repeated a thousand times with reference to those of Romanism: —

‘Ce jeune lama de vingt-quatre ans était un gros gaillard bien membré, et dont la lourde et épaisse figure l'accusait de faire dans son étroit réduit une forte consommation de beurre. Nous ne pouvions jamais le voir mettre le nez à la porte de sa case, sans songer à ce rat de La Fontaine, qui par dévotion s'était retiré dans un fromage de Hollande.’

The monasteries of the Lamas, resembling as they do in so many respects those of the Ronianists, differ from them on some few points. The members are all subject to the same rule and the same discipline; but they do not seem to live to the same extent in community; and exclusive rights of property prevail among them. Our missionaries passed some months in these establishments. Besides His Holiness the Supreme Lama at Lhassa, there are Grand Lamas, who derive their investiture from him, and descend from past ages in uninterrupted succession. With reference to one of these, it is observed: —

‘Si la personne du grand Lama nous frappa peu, il n'en fut pas ainsi de son costume, qui était rigoureusement celui des évêques; il portait sur sa tête une mitre jaune; un long bâton en forme de crosse (*crosier*) était dans sa main droite; et ses épaules étaient recouvertes d'un manteau en taffetas violet, retenu sur sa poitrine par une agrafe, et semblable en tout à une chape. Dans la suite, nous aurons à signaler de nombreux rapports entre le culte catholique et les cérémonies Lamanesques.’ (Vol. ii. p. 101.)

M. Huc afterwards recapitulates as follows: —

‘La crosse, la mitre, la Dalmatique, la chape ou pluvial, que les grands Lamas portent en voyage, ou lorsqu'ils font quelque cérémonie hors du temple; l'office à deux chœurs, la psalmodie, les exorcismes, l'encensoir soutenu par cinq chaînes, et pouvant s'ouvrir et se fermer à volonté; les bénédictions données par les Lamas en étendant la main droite sur la tête des fidèles; le chapelet, le célibat ecclésiastique, les retraites spirituelles, le culte des saints, les jcunes, les processions, les litanies, l'eau bénite; voilà autant de rapports que les bouddhistes ont avec nous.’

“He might have added, that they likewise have a goddess, whom they call *Tien-how*, literally *regina cœli*, ‘Queen of Heaven;’ but with a different legend.

Our author very naturally endeavours to persuade himself and his readers that by some process of diablerie these things have been borrowed from his own Church: but why should we do such violence to the subject, when there is the much easier, more intelligible, and more straightforward course of deriving both from something older than either; and remaining persuaded, as most of us must have been long ago, that the Pagan rites and Pontifex Maximus of the modern Rome represent, in outward fashion, the paganism and Pontifex Maximus of the ancient? Strange to say, instead of blinking the matter, a sort of parallel has often been studiously preserved and paraded, as when the Pantheon, the temple of ‘all the gods,’ was consecrated by Pope Boniface to ‘all the Saints.’ Is it necessary for us to compare the annual sprinkling of horses with holy water to the like process at the Circensian games — the costly gifts at Loretto to the like gifts at Delphi — the nuns to the *virgines sanctæ* of old Rome — the shrines of ‘Maria in triviis’ to the like rural shrines of more ancient idols — the flagellants (whose self-discipline Sancho so dexterously mitigated in his own case) to the practices of the priests of Isis? In running the parallel, the only difficulty is where to stop. It is impossible to look at the innumerable votive pictures and tablets which conceal, without adorning, the walls and pillars of many a church at Rome, and not to think of

‘ nam posse mederi
Picta docet templis multa tabella tuis.’

To instance a higher department of art — as the old artist, in painting his Venus, is said to have combined ‘each look that charm’d him in the fair of Greece,’ so the Italian painters have sometimes immortalised the features of their own mistresses in pictures of saints and martyrs, intended to adorn churches.

In its modern traits, as well as in its ancient, Lamanism maintains its resemblance to Romanism. Prodigies and miracles of constant occurrence come to the aid of the priesthood, and maintain their influence over the stupid multitude. Some of the instances adduced are palpable cases of ingenious jugglery; but M. Hue, with characteristic facility, believes in the miracle, while he attributes it to the agency of the devil: —

‘ Une philosophie purement humaine rejettéra sans doute des faits semblables, ou les mettra sans balancer sur le compte des fourberies lamanesques. Pour nous, missionnaires catholiques, nous croyons que le grand menteur qui trompa autrefois nos premiers parents dans le paradis terrestre, poursuit toujours dans le monde son système de mensonge; celui qui avait la puissance de soutenir dans les airs Simon le Magicien, peut bien encore aujourd’hui parler aux hommes par la bouche d’un enfant, afin d’entretenir la foi de ses adorateurs.’

Whatever Protestants may think and say of the means by which the Romish Church has maintained and extended its influence over the masses of mankind, it is impossible to deny the thorough knowledge of human nature on which all its measures have been calculated. The same causes which have aided it so long against the reforms of a purer faith are likely to aid it much longer; and we really see very little chance of a change. The priestly array, the lighted taper, and the histrionic pantomime, are aided by smoking censers, graven images, and all the paraphernalia by which so many temples of so many different religions have been before distinguished. We entirely agree with M. Huc, that the Romish Church has a fair field for proselytism in the vast regions where Buddhism at present prevails. In external forms, the transition is the easiest possible; and during his short residence at Lhassa, he remarked: — ‘Il nous semblait toujours que la beauté de nos cérémonies eût agi puissamment sur ce peuple, si avide de tout ce qui tient au culte extérieur.’*

If the new system cannot be made to supersede the old, it may at least be grafted upon it, as experience has already proved at our own colony of Ceylon; for Romanism has sometimes been satisfied with a part, where the whole was unattainable. In a recent work by Sir Emerson Tennent, he observes of the early converts in that island to the Romish Church, ‘there is no reason to doubt that, along with the profession of the new

* In a book which had belonged to a Romish missionary in China was found this estimate written on the fly-leaf in Italian:—

‘Numbers included under different known religions,—

Catholic Apostolic Church of Romè	-	-	139,000,000
Schismatic Greek Church	-	-	62,000,000
Protestant Church and its branches	-	-	59,000,000
<hr/>			
Total of Christianity	-	-	260,000,000
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Jews	-	-	4,000,000
Mahometans	-	-	96,000,000
Hindoos	-	-	60,000,000
Buddhists	-	-	170,000,000
Confucianists and others	-	-	147,000,000
<hr/>			
			787,000,000

* The number of Buddhists is probably not over-rated, considering that they extend from Japan to Lhassa, and from the confines of Siberia to Siam.

' faith, the majority of them, like the Singalese of the present day, cherished, with still closer attachment, the superstitions of Buddhism ;' and he attributes the ease of their external conversion to 'the attractions of a religion which, in point of pomp and magnificence, surpassed, *without materially differing from*, the pageantry and processions with which they were accustomed to celebrate the festivals of their own national worship.' We may, however, charitably and reasonably suppose that the present emissaries of Rome would stop short of the complaisant conformity of their Jesuit predecessors, who, according to the Abbé Dubois, 'conducted the images of the Virgin and Saviour on triumphal cars, imitated from the orgies of Jaggernath, and introduced the danvers of the Brahminical rites into the ceremonial of the Church.'

After eighteen months of mingled residence and journèyings through the immense tract which intervenes between the neighbourhood of Peking and Lhassa, MM. Hue and Gabet reached the capital of Thibet in a very weary and exhausted state. The snowy range of mountains which formed the latter portion of their route was passed with a caravan, which is periodically collected as a protection against robbers ; and the miseries and privations which they endured had well nigh proved fatal to M. Gabet, though both travellers were in the prime of life — one thirty-two, and the other only thirty-seven. Scarcely settled in the lodging where they had installed themselves, when troubles not less harassing, though of another kind, were to be encountered. 'Après les peines physiques, c'était le tour des souffrances morales.' As far as rested with the native government of the country, they might long have remained unmolested to exercise their zeal at the head-quarters of Buddhism ; but obstacles arose in a direction which they were hardly prepared to anticipate. The minister of the Emperor of China resides at the Court of the Supreme Lama, something like the Austrian ambassador at Rome, but with a vastly greater and more undivided influence. His spies were the first to detect the intruders ; and he succeeded, at length, notwithstanding the favour and kindness shown to them by the temporal Regent of Thibet, in effecting their expulsion from the country. The whole narrative is extremely curious, and, in fact, gives a better insight into the real relations existing between Peking and Lhassa than any other source within our reach.

In addition to the numerous and striking analogies which have been traced between the rites of Lamanism and the Romish worship, M. Huic observes that 'Rome and Lhassa, the Pope and the Supreme Lama, might also furnish points of

'resemblance full of interest.' The Thibetian government is altogether ecclesiastical. The Talé or Dalé-Lama is its political and religious head. When he dies, or, as the Buddhists say, transmigrates, his indestructible personification is continued in a child, chosen by the great Lamas, distinguished as *Houtouktou*, whose sacerdotal rank is inferior only to that of the Grand Lama, and whom, therefore, we may compare to the Cardinals. The present Dalé-Lama is only nine years of age, and his three predecessors had none of them reached their majority; a circumstance which seems to indicate foul play, and which was in fact expressly attributed to treachery on the part of the administration of Thibet, vested chiefly in the hands of a functionary styled Nomekhan, during the Grand Lama's minority.

A party at Lhassa opposed to this Nomekhan applied secretly, in the year 1844, for the interference of the Emperor of China, who is sufficiently ready to extend his influence on all occasions, in Thibet and elsewhere. The person selected to proceed as ambassador to Thibet, and overturn the ill-acquired power of the Nomekhan was Ke-shen, who only about four years before had been ruined by the result of his negotiations at Canton: but whose energy and talents appear still to have been appreciated by the Emperor's government, and whose failure might possibly have met with palliation and excuse in the still worse failures of his successors in the South. On reaching Lhassa, Ke-shen took his measures in concert with those opposed to the Nomekhan. That high functionary was arrested; when, to avoid torture, he at length confessed to the guilt of having taken *three lives* from the Grand Lama, or, in other words, having caused his transmigration three times by violence. To this confession the seals of Ke-shien and the other parties were affixed, and it was transmitted by a special courier to Peking.

'Trois mois après, la capitale du Thibet était plongée dans une affreuse agitation; on voyait placardé au grand portail du palais du Nomekhan, et dans les rues principales de la ville, un édit impérial en trois langues sur papier jaune, et avec des bordures représentant les dragons ailés. Après de hautes considérations sur les devoirs des rois et des souverains grands et petits; après avoir exhorté les potentats, les monarques, les princes, les magistrats, et les peuples des quatre mers à marcher dans les sentiers de la justice et de la vertu, sous peine d'encourir la colère du ciel, et l'indignation du grand Khan—l'Empereur rappelait les crimes du Nomekhan, et le condamnait à un exil perpétuel sur les bords du Sakhalien-oula, au fond de la Mandchourie.—A la fin était la formule d'usage; qu'on tremble, et qu'on obéisse!'

Such an unusual sight as this Imperial Edict on the gates of their governor excited a general insurrection among the Thibetians

of Lhassa. At half a league's distance is a College of Lamas, composed of some thousands. These armed themselves at random, and came down like an avalanche, denouncing death to Ke-shen and the Chinese. They carried by assault the residence of the ambassador, who, however, was not to be found. They next attacked those who had acted with him, and sacrificed more than one to their fury. They released the condemned Nomekhan, who, however, had not the spirit to avail himself of the occasion. ‘Il avait’ (says M. Huc) ‘la lâche énergie d'un assassin, et non l'audace d'un séditieux.’

The next morning, the Lamas were again agitated like a hive of bees, and again swarmed down upon Lhassa. But Ke-shen had profited by the interval, and his measures were taken. A formidable array of Chinese and Thibetian troops barred their passage ; and the Lamas, whose trade was not fighting, betook themselves to their cells and their books, and were glad to avoid the consequences of their temerity in an immediate resumption of their clerical character. In a few days, the Nomekhan, who had thrown away his only chance, was on his way ‘comme un mouton’ to Tartary—while Ke-shen, elated with his triumph, showed a disposition to extend the penalties to his reputed accomplices in guilt. The ministers of the local government, however, thought that Chinese influence had done enough, and the ambassador had the prudence to forbear. The new Nomekhan was selected from the Lamas of the greatest eminence in the country ; but as the choice fell on a youth of only eighteen, a Regent was appointed in the person of the chief kalon, or minister. This individual soon showed that his first care was to provide barriers against the ambition and encroachments of the Chinese ambassador, who had so boldly taken advantage of the weakness of the Thibetian government, to usurp its powers, and extend the pretensions of his master the Emperor.

Things were in this state on the arrival of our two Missionaries, who, after some weeks of unmolested residence, began to flatter themselves that they might pass unobserved. They were one day seated at their lodging in conversation with a Lama well versed in Buddhistic learning, when a well-dressed Chinese suddenly made his appearance, and expressed a strong desire to inspect any merchandise they might have to dispose of. They in vain declared they were not merchants : he was not satisfied, and in the midst of the discussion arrived a second Chinese, and then a third ; after which, the number of visitors was soon swelled to five, by the appearance of two Lamas in rich silk scarfs. They all joined in a multitude of questions, addressed

to MM. Gabet and Huc, and their looks were directed on all sides, in a minute examination of the contents of the dwelling. They at length took their leave, promising to return, and left our missionaries in an uncomfortable state, justly thinking that the pretended chance visit looked like a concerted measure, and that their new friends had very much the appearance of either spies or swindlers.

When dinner was over, two out of the late five reappeared, and at once announced that the Regent desired to see the missionaries; — ‘and that young man,’ — said they, pointing to their faithful Tartar attendant *Samdadchiemba*, who eyed them with no very friendly looks — ‘he must come too.’ The authorities must be obeyed, and they set out together towards the palace of the Regent. On their arrival, they were conducted through a court and passages, crowded with Thibetians and Chinese, to a large room, at the end of which was seated the Regent, with his legs crossed upon a thick cushion covered with a tiger’s skin. He was a man of about fifty, stout, and remarkably fair, with a most intelligent and benevolent countenance. The strangers were invited to seat themselves on a bench covered with red carpet to their right. We must give what follows in the original.

‘Aussitôt que nous fûmes assis, le Régent se mit à nous considérer long-temps en silence, et avec une attention minutieuse. Il penchait sa tête tantôt à droite, tantôt à gauche, et nous examinait d’une façon moitié moqueuse et moitié bienveillante. Cette espèce de pantomime nous parut à la fin si drôle, que nous ne pûmes nous empêcher de rire. — Bon ! dîmes-nous en Français, et à voix basse, ce monsieur paraît assez bon enfant ; notre affaire ira bien. — Ah ! dit le Régent, d’un ton plein d’affabilité, quel langage parlez-vous ? Je n’ai pas compris ce que vous avez dit. — Nous parlons le langage de notre pays. — Voyons, répétez à haute voix ce que vous avez prononcé tout bas. — Nous disions ; Ce monsieur paraît assez bon enfant. — Vous autres, comprenez-vous ce langage ? ajouta-t-il, en se tournant vers ceux qui se tenaient debout derrière lui. — Ils s’inclinèrent tous ensemble, et répondirent qu’ils ne comprenaient pas. — Vous voyez, personne ici n’entend le langage de votre pays ; traduisez vos paroles en Thibétain. — Nous disions que, dans la physionomie du premier Kalon, il y avait beaucoup de bonté. — Ah ! oui, vous trouvez que j’ai de la bonté ? cependant, je suis très-méchant. N’est ce pas que je suis tres-méchant ? demanda-t-il à ses gens. — Ceux-ci se mirent à sourire, et ne répondirent pas. — Vous avez raison, continua le Régent, je suis bon, car la bonté est le devoir d’un Kalon. Je dois être bon envers mon peuple, et aussi envers les étrangers.’

This good-natured functionary assured the missionaries that he had sent for them merely in consequence of the contradictory reports in circulation, and without the least wish to molest

them. After having found, to his surprise, that they could express themselves in the written characters of China, Tartary, and Thibet, and having satisfied himself as to the nature of their pursuits, he informed them that the Chinese resident was himself going to question them. He advised that they should frankly state their history, and added that they might depend upon his protection, for it was himself who governed the country. As he took his departure, the noise of the gong announced the approach of Ke-shen. The experience of our travellers made them anticipate a less agreeable interview in this quarter; but they screwed their courage up to the sticking place, determined that as Christians, as Missionaries, and as Frenchmen, they would not kneel to any body; and they bade their squire and neophyte *Samdadchiemba* confess his faith, if the occasion should require. The portrait of the celebrated mandarin must be given at full length.

‘*Ki-chan*, quoique âgé d'une soixantaine d'années, nous parut plein de force et de vigueur. Sa figure est, sans contredit, la plus noble, la plus gracieuse et la plus spirituelle que nous ayons jamais rencontré parmi les Chinois. Aussitôt que nous lui eûmes tiré notre chapeau, en lui faisant une courbette de la meilleure façon qu'il nous fût possible.—C'est bien, c'est bien, nous dit-il, suivez vos usages; on m'a dit que vous parlez correctement le langage de Péking, je désire causer un instant avec vous.—Nous commettons beaucoup de fautes en parlant, mais ta merveilleuse intelligence saura suppléer à l'obseurité de notre parole.—En vérité, voilà du pur Pékinois! vous autres Français, vous avez une grande facilité pour toutes les sciences: vous êtes Français, n'est-ce pas?—Oui, nous sommes Français. Oh! je connais les Français; autrefois il y en avait beaucoup à Péking, j'en voyais quelques-uns.—Tu as dû en connaître aussi à Canton, quand tu étais commissaire impérial.—Ce souvenir fit froncer le sourcil à notre juge; il puise dans sa tabatière une abondante prise de tabac*, et la renifla de très mauvaise humeur.—Oui, c'est vrai, j'ai vu beaucoup d'Européens à Canton. Vous êtes de la religion du Seigneur du Ciel, n'est-ce pas?—Certainement; nous sommes même prédateurs de cette religion.—Je le sais, je le sais; vous êtes, sans doute, venus ici pour prêcher cette religion?—Nous n'avons pas d'autre but.—Avez-vous déjà parcouru un grand nombre de pays?—Nous avons parcouru toute la Chine, toute la Tartarie, et maintenant nous voici dans la capitale du Thibet.—Chez qui avez-vous logé quand vous étiez en Chine?—Nous ne répondons pas à des questions de ce genre.—Et si je vous le commande?—Nous ne pourrons pas obéir. (Ici le juge dépité frappa un rude coup de poing sur la table.)—Tu sais, lui dîmes-nous, que les chrétiens n'ont pas peur; pourquoi donc chercher

* The Chinese generally take snuff out of a small bottle, but Ke-shen probably required larger supplies, and had a silver box or vessel at his side—‘vase en argent.’

à nous intimider? — Où avez vous appris le Chinois? — En Chine. — Dans quel endroit? — Un peu partout. — Et le Tartare, le savez-vous? où l'avez-vous appris? — En Mongolie, dans la terre des herbes.'

The firm bearing of MM. Huc and Gabet was properly respected by Ke-shen, who, however, did not treat with the same ceremony their Tartar attendant *Samdadchiemba*, on finding he was a subject of China. He ordered him peremptorily to kneel, and in that attitude obtained from him his history, which might have gone far to compromise the unfortunate squire, but for his connexion with the two missionaries. Ke-shen's character appears to considerable advantage throughout this narrative. Encroaching and overbearing towards the Thibetian government, according to his supposed duty to his sovereign, his personal demeanour to the two travellers proved his due appreciation of the European character, no doubt the result of his experience at Canton. The lateness of the hour put an end to the audience, and our missionaries had an immediate interview, followed by a supper, with their kind friend the Regent, whose solicitude may fairly be attributed as much to his jealousy of the Chinese resident, as his sympathy for the strangers. At this interview appeared as interpreter, on account of his knowledge of the Chinese language (the medium most familiar to the missionaries), a certain Mahomedan chief of the Mussulmans of *Cashmere* resident at Lhassa. This little incident shows our increased vicinity to the Chinese Empire, since Gholab Singh, ruler of Cashmere, became our tributary, and bound himself in the treaty with Lord Hardinge to transmit annually a dozen fine shawls, and a certain number of shawl goats, in acknowledgment of British supremacy.

The greatest cause of anxiety to the Regent, and the circumstance most likely to compromise the missionaries, proved to be the supposed possession of maps of the country, constructed by themselves. It would seem, according to our author, that this fear originated since the visit of our countryman Moorcroft*, who, according to the *Thibetians*, introduced himself at Lhassa as a native of Cashmere. They stated that, after a residence of some years, he took his departure, but was murdered on his way

* The time and place of Moorcroft's death near Balkhi, as related by Professor Wilson, have been confirmed through repeated notices gathered by Barnes and others during our occupation of Cabul and the adjacent countries, and there is no doubt of the fact. Moorcroft's residence for twelve years, from 1826 to 1838, at Lhassa, without being heard of, directly or indirectly, by any European, whether in India, Nepaul, China, or Russia, is incredible on the face of it.

to Ladak. Among his effects were a number of maps and designs which he had executed during his stay in this country ; and hence the fear of map-makers. The truth, however, is that this fear has been of long standing, in China at least, where the common notion of an Englishman is that of a *bipes implumis* who goes about making maps of the country, with an express view to future conquest. Keying, the most liberal Chinese we have ever had to deal with, was in a perpetual fidget about the coast survey, carried on since the peace by that able officer Captain Collinson, between Hong-Kong and Shanghae, and plagued H. M. Plenipotentiary incessantly on the subject. It was useless to protest that nothing but the safety of our traders was in view ; that the commercial treaty was altogether futile without the safe navigation of the seas by our merchant vessels ; and it became necessary at once to cut the matter short by saying that the commanders of H. M. ships must obey any orders they received from their Government in the prosecution of their lawful business.

Maps of the country our missionaries had, but they were not autograph, nor even manuscript. A grand scrutiny took place before Ke-shen.

“ ‘We are fortunate,’ said the travellers to the Chinese Minister, “ to find you here. In your absence it might have been impossible to convince the authorities of Thibet that we did not construct these maps ourselves ; but, to a person of your information,—to one so well acquainted with European matters,—it is easy to perceive that these maps are not our work.” Ke-shen appeared greatly flattered by the compliment.—“ It is evident at once,” said he, “ that these are printed maps. Look,” he added to the Regent, “ the maps, instead of being made by these persons, were printed in the country of France. You could not perceive that ; but I have been long accustomed to distinguish the various objects which come from the West.”

Solvuntur risu tabulae.—This incident was of more use to the missionaries, and relieved them more completely from the cloud which had hung over them, than anything else that could have occurred. The only fear and anxiety of the Regent himself was effectually removed, and from being virtually prisoners, and their baggage under seal, they returned in a sort of ovation to their lodging. It did not seem unreasonable for them, under all the circumstances, to hope that they might remain unmolested in the country. This appeared still more probable after their friend the Regent had allowed them to take up their quarters in a house belonging to the Government, where they established a chapel, and where they were visited by both Thibetians and Chinese, some of whom manifested no disinclination towards the

Romish worship. Enough has been shown to prove that, in external rites, there is not a great deal of difference, and there are, besides, certain circumstances which give the Papal emissaries great practical advantages over Protestant missionaries. Whatever may be the evils or scandals attending celibacy in the Romish Church (and Dr. Dens' miscalled 'Theology' proves its dangers in the confessional), it has been very useful to them in the case of foreign missions, and in the exploration of untried regions or new fields of action. The very undertaking we are considering could never have been accomplished by Protestant clergymen encumbered with the 'impedimenta' of wives and families. When a missionary is nominated from England, the prospect of a provision, supposing him to be single, generally induces him to marry, and he fixes himself down, say at one of the five ports of China, for perhaps his life, with the very moderate prospect of converting the empire from a place corresponding to one of our seaports. If he dies prematurely, which is often the case, the funds which sent him out become charged with the maintenance of those whom he leaves behind, and we need only look over the accounts of the Propagation Society to see that a very considerable amount of their funds (most justly and unavoidably we admit) are swallowed up annually in this way.

The interval of prosperity now enjoyed by our travellers, but destined to be too soon interrupted, was varied by some interesting and unreserved conversations with Ke-shen. His Canton recollections seemed to haunt him. 'Ki-chan nous demanda 'des nouvelles de Palmerston; s'il était toujours chargé des 'affaires étrangères.' He gave them a graphic and perfectly true description of the absolute power of the Chinese sovereign: —

'Notre Empereur nous dit, Voilà qui est blanc. Nous nous prosternons, et nous répondons, Oui, voilà qui est blanc. Il nous montre ensuite le même objet, et nous dit, Voilà qui est noir. Nous nous prosternons de nouveau, et nous répondons, Oui, voilà qui est noir.—Mais enfin, si vous disiez qu'un objet ne saurait être à la fois blanc et noir?—L'Empereur dirait peut-être à celui qui aurait ce courage, Tu as raison—mais en même temps il le ferait étrangler ou décapiter.'

Ke-shen was a high authority on this subject, for he had been one of the Emperor's privy councillors.

M. Huc persuades himself, naturally enough perhaps, that the Chinese resident at Lhassa became jealous of the progress made by himself and M. Gabet among the Thibetians, and therefore determined on bringing about their departure

from the country : but any Chinese functionary in his position would have deemed such a measure necessary, and a mere act of prudence as concerned himself, considering he served a master who, as we have just seen, treats his servants in so trueulent a style, even when they have reason on their side. Ke-shen had already been once condemned to death himself.

‘ Un jour l’ambassadeur *Ki-chan* nous fit appeler, et après maintes ejoleries il finit par nous dire que le Thibet était un pays trop froid, trop pauvre pour nous, et qu’il fallait songer à retourner dans notre royaume de France. *Ki-chan* nous adressa ces paroles avec une sorte de laisser-aller et d’abandon, comme s’il eût supposé qu’il n’y avait la moindre objection à faire. Nous lui demandâmes si, en parlant ainsi, il entendait nous donner un conseil ou un ordre? — L’un et l’autre, nous répondit-il froidement.’

They in vain urged that they were not Chinese subjects, and therefore disclaimed his assumed authority over them in Thibet. The conference was abruptly terminated by their being informed that they must prepare themselves to quit the country. They went at once to their friend the Regent, who, in words at least, seemed to impress them with the notion that he did not consider their departure absolutely depended on the will of the Chinese Resident. The habitual insincerity of Asiatics renders them very ready to say any thing that may be agreeable to their hearers, and their love of ease makes them willing to avoid unpleasant discussions. It is very probable that the Regent was jealous of Ke-shen ; but we cannot go quite the length of imagining, with M. Huc, that a ready compliance with the determination of Ke-shen on the part of himself and M. Gabet became necessary, ‘ de peur de compromettre le Regent, et de devenir, peut-être, la cause de fâcheuses dissensions entre la Chine et le Thibet.’ We are persuaded that, whatever circumstances may occur to occasion a war between Thibet and China, it will not be for such a cause as this. M. Huc must before now have become sensible that he equally miscalculated in another quarter. ‘ Dans notre candeur, nous nous imaginions que le gouvernement français ne verrait pas avec indifférence cette prétension injouie de la Chine, qui ose poursuivre de ses outrages le Christianisme et le nom français jusqu’chez les peuples étrangers, et à plus de mille lieues loin de Peking.’ China has long exercised the same sort of power or influence in countries very far west of Lhassa, and therefore more distant from Peking.

It was certainly a stipulation in 1845, between M. de Lagrené, the French minister, and Keying, that the Romish religion should no longer be subject to persecution in China ; and Sir John Davis lost no time in obtaining for Protestants

whatever privileges were to be accorded to Romanists. In 1847, however, two Romish bishops, *in partibus*, were found in the interior, and immediately sent off to the coast, whence they found their way to Hong-Kong, indignant at what seemed to them so direct a violation of treaties. The Chinese government declared that the privileges in question were only intended for the Five Ports where Europeans were permitted to reside, and that they did not extend to admitting the teachers of Christianity into the interior.

We altogether concur with M. Huc on one point. If the two missionaries were to quit Lhassa, they might at least have been allowed to leave it in the readiest and easiest way. Within three weeks' journey was the frontier of Bengal, whence it was their wish to proceed to Calcutta. But no: Chinese fears and jealousies had decreed otherwise. The same absurd precaution which had caused certain commissioners from Russia to be conducted by a roundabout course from Kiachta to Peking, doomed our poor missionaries to *travail* from Lhassa through alpine passes to the frontier of China, and from thence to Canton,—a weary course of about eight months. They protested in vain, and declared they would denounce this cruel measure to the French government. Ke-shen was inflexible, observing that he must remember what was expected from him by the Emperor, and take care of his own head.

A good escort, however, was provided, and every care taken for the welfare of our travellers. A mandarin of respectable military rank, and fifteen Chinese soldiers, were charged with their safe conduct by Ke-shen in person, who, moreover, in a most edifying oration, recorded by M. Huc, pointed out their respective duties; and truly the undertaking before them was not a light one, as the description of the journey to the Chinese frontier (where the present work concludes) will easily show. In this almost impassable tract of country we may discover the real cause of the separation, for so many ages, of China from the Western world; for mountains of nearly the same alpine character extend all the way from Tartary southwards to Yunnan and the frontiers of the Burmese empire. The hardships of the present journey, undertaken under all possible advantages, killed no less than three mandarins, that is, their conductor and two others who joined them on the route. We must observe, however, that the former had been invalidated from his duties on account of swelled legs and other, probably dropsical, symptoms, brought on by the abuse of stimulating liquors. We must give our author's description of this mandarin's separation from his Thibetian wife, as it is a specimen of M. Huc's style: —

‘Avant de monter à cheval, une Thibétaine vigoureusement mcm-brée et assez proprement vêtue se presenta : c’était la femme de Ly-kouo-ngan. Il l’avait épousée depuis six ans, et il allait l’abandonner pour toujours. Ces deux conjugales moitiés ne devant plus se revoir, il était bien juste qu’au moment d’une si déchirante séparation, il y eut quelques mots d’adicu. La chose se fit en publique, et de la manière suivante.—Voilà que nous partons, dit le mari ; toi, demeure ici, assise en paix dans ta chambre.—Va-t-en tout doucement, répondit l’épouse ; va-t-en tout doucement, et prends bien garde aux enflures de tes jambes. Elle mit ensuite une main devant ses yeux, comme pour faire croire qu’elle pleurait.—Tiens, dit le Pacificateur des royaumes* en se tournant vers nous ; elles sont drôles ces femmes Thibétaines ; je lui laisse une maison solidement bâtie, et puis une foule de meubles presque tout neufs, et voilà qu’elle s’avise de pleurer ! Est-ce qu’elle n’est pas contente comme cela.—Après ces adieux si pleins d’onction et de tendresse, tout le monde monta à cheval.’

One word more about Ke-shen. A most striking trait of Chinese character is recorded by M. Huc, just as he is on the point of departure. We have seen the circumstances under which our missionaries took leave of the imperial representative at Lhassa. Whatever he might think or say on the occasion, *they*, at least, had just cause to consider themselves treated by him with unnecessary harshness ; if not for their removal from Thibet, at least for their removal by the way of China, instead of Bengal. Notwithstanding all this, he drew them aside at their last interview, and said confidentially : ‘I shall soon be on the way to China myself ; that I may not be overcharged with effects on my departure, I send two large chests by this opportunity ; they are covered with Thibet † cow skins (showing us at the same time how they were lettered) ; I recommend these two cases to your special care. When you reach the relays at night, let them be deposited in your sleeping apartment ; and when you arrive at the capital of Sse-ckuen province, deliver them to the care of the viceroy.’ Thus, when a Chinese officer, a countryman and nominee of his own, was going the same journey, he preferred entrusting this treasure (for such no doubt it was) to two poor European missionaries, whom he had injured, rather than to a Chinese mandarin of respectable station, who was, in a great measure, his own dependent. He had often said that he admired and respected the European probity, and this was a practical proof of it. M. Huc very justly adds : ‘Cette marque de confiance nous fit plaisir : c’était un homme rendu à la probité des chrétiens, et en même temps une satire bien amère du caractère chinois.’

* A play on his Chinese name.

† The Yak of Thibet, *bœuf à long poil*, figured in Turner’s embassy.

Some time after Ke-shen's disgrace, there appeared at Hong-Kong the copy of a Peking gazette, which detailed the circumstances of his sentence, and gave the amount of his registered property. The two ministers commissioned on the occasion reported that they found in his house, or at least his possession, 682 Chinese pounds of gold, being about 14,560 English ounces ; but of silver the enormous amount was 17,940,000 taels, which is more than six millions sterling, or as nearly as possible the whole amount of indemnity paid to England on account of the war, including the ransom of Canton. Ke-shen might thus truly be said to have 'paid for the war.' But, as if this were not enough, his women were sold by auction (Mr. Robins never had such an opportunity), and when he reached the capital from Canton, he was without the necessaries of life, though the emperor soon packed him off to Elie, the Celestial Siberia.* After all this, it was rather cool, when his services were wanted, to appoint him resident at Lhassa ; where, however, he soon contrived to do something towards repairing his broken fortunes, by helping himself to the gold and precious stones in which Thibet abounds. The two chests in charge of the missionaries were, no doubt, an instalment of his remittances to China ; and he is now viceroy of the province of Sse-chuen, (whither he sent the chests,) one of the largest of the empire, being equal in area to all France. This strange history is not unlike that of many a minister of the Celestial Empire.

Our Missionaries make no pretension to learning ; and are credulous in proportion. But their notices of the life before them are curious, and, we believe, truthful. We will conclude with two very extraordinary Thibetian customs, which we do not remember in Turner : though it must be observed that, while they did not reach Ladak or the Indian frontier, neither did Turner reach Lhassa or the Chinese.

' Les femmes Thibétaines se soumettent dans leur toilette à un usage, ou plutôt à une règle incroyable, et sans doute unique dans le monde. Avant de sortir de leur maisons, elles se frottent le visage avec une espèce de vernis noir et gluant, assez semblable à de la confiture de raisin. - Comme elles ont pour but de se rendre laides et hideuses, elles répandent sur leur face ce fard dégoûtant à tort et à travers, et se barbouillent de manière à ne plus ressembler à des créatures humaines.'

* M. Huc has the true version of the story. ' L'Empereur, dans sa paternelle mansuétude, lui fit grâce de sa vie, et se contenta de le dégrader de tous ses titres, de lui retirer toutes ses décorations, de confisquer ses biens, de raser sa maison, de faire vendre ses femmes à l'encaissement, et de l'envoyer en exil au fond de la Tartarie.'

It is certainly something altogether new to find any race of women with the ambition ‘de se rendre laides et hideuses,’ but it must be an amazing simplification of the business of the toilet. The only wonder is that such a custom was ever submitted to, when, as M. Huc states, a certain Nomekhan, or Lama-king of the country, imposed it on the female part of the community, as a corrective of their morals and a protection to their virtue.

‘Afin d’arrêter les progrès d’une license qui était devenu presque générale, le Nomekhan publia un édit, par lequel il était défendu aux femmes de paraître en public, à moins de se barbouiller la figure de la façon que nous avons déjà dite. De hautes considérations morales et religieuses motivaient cette loi étrange, et menaçaient les réfractaires des peines les plus sévères, et surtout de la colère et de l’indignation de Bouddha.’

Nothing but a hierarchy, or rather, a nation of priests, could ever have succeeded in so monstrous a scheme of moral or religious discipline, more unnatural than the nunneries of Romanism. ‘One need not sure look frightful, *though* one’s dead.’

The second strange custom is a Thibetian salutation of respect, more absurd even than the ‘nose-rubbing’ with which the Esquimaux greet their friends. M. Huc describes it by the terms ‘tirer la langue,’ which can only mean ‘putting out the tongue.’ We have read that the New Zealanders have a habit of expressing their hatred or defiance of their enemies by the same elegant gesture, and for such a purpose it might seem sufficiently significant and appropriate among savages: but how a people, at least semi-civilised, like the Thibetians, could ever have fallen upon such a mode of signifying *respect*, is altogether marvellous. It goes far at least to prove the purely conventional nature of all such signs, when the very *opposite* movements have been adopted by different nations to denote the same thing. If, to uncover the head be, in Europe, a mark of respect, it is precisely the reverse in China: and, though to salute with either the right or left hand be a nearly indifferent matter among us, a salutation with the left is so deadly an insult with Mahomedans in the East, as to have been instantly answered with a stab or a shot. For this reason, the native commissioned officers of our Indian army, in giving the military salute, confine it to the sword held in the right hand, and do not at the same time raise the left hand to the forehead.

Since the Ruler of the Valley of Cashmere has become a tributary to the British crown, circumstances must occasionally bring us into contact with the Chinese government through Thibet. From the first conclusion of the treaty between Gholab Singh and the Governor-General of India, Lord Hardinge, with the foresight of a statesman, turned his attention to the

accomplishment of two most desirable objects. First, the exact ascertainment and definition of the boundaries between Cashmere and the Ladak territory ; and secondly, the continuation of the same trade between the territory, now dependent on the British Government, and Ladak, as had been before established by treaty between Cashmere and Ladak. We found, in fact, such a treaty existing, by which tea * and shawl-wool were to be transmitted to Cashmere and the Punjab by the Ladak road ; and persons proceeding from Ladak to China, or from China to Ladak, were not to be obstructed on the way. That no means might be left untried, Lord Hardinge engaged the services of H. M. Plenipotentiary in China, to communicate with the minister of the Emperor, Keying, on the subject, and obtain, if possible, the appointment of Chinese or Thibetian commissioners to meet our own on the new frontier of India. The land distances to be traversed in negotiation were enormous. From Canton to Peking was 1200 miles, and from Peking to our frontier more than 2000. Various and Protean were the shifts and changes by which Keying, in Chinese fashion, endeavoured to elude all concern or responsibility in the matter. Among others was this highly ungeographical objection : ‘The trading with Thibet would not be in conformity with the maritime treaty, as it is not included in the Five Ports.’ When convinced of the real nature of this *non-sequitur*, Keying admitted that the traders on the Indian frontier might carry on a commerce entirely distinct from that of the English merchants, who repair to the Five Ports of China ; and he engaged ‘faithfully to transmit to his sovereign the whole tenor of the correspondence.’ He would hardly fail to do so, being aware that all Lord Hardinge’s communications must at last reach Peking through Thibet, and betray any concealment of the subject. Three commissioners were appointed by Lord Hardinge in 1847, to enter the Thibetian territory, and endeavour to settle the frontier boundaries, if possible. Other objects were combined with the principal one. Lieutenant Strachey, one of the commissioners, was instructed to follow up his previous researches in Ngari, and penetrate through Gurdokh to the Lake Manasarowar, and so eastward, as far as practicable, through Darjerling or Bhotan to the British provinces. That officer has printed an interesting narrative of his first journey, in 1846, proving the rigours of those alpine regions to be precisely corresponding to the experience of MM. Hué and Gabet ; and we hope in time to have a detailed account of his more recent and official researches.

* Our manufactory of tea in Kumaon is so promising, that we may one day supply it to Thibet and Chinese Tartary, where the consumption is very large.

- ART. V.—1. *Cours de l'Histoire de la Philosophie Moderne.*
Par M. VICTOR COUSIN.. 5 vols. Paris: 1846.
2. *Cours de l'Histoire de la Philosophie Moderne.* 2^e Série.
3 vols. Paris: 1847.
3. *Fragments Philosophiques pour faire Suite aux Cours de l'Histoire de la Philosophie.* 4 vols. Paris: 1847.
4. *Œuvres de M. Victor Cousin.* 4^e Série. *Littérature.* 3 vols.
Paris: 1849.
5. *Œuvres de M. Victor Cousin.* 5^e Série. *Instruction Publique en France sous le Gouvernement de Juillet.* Paris: 1850.

THE five series of volumes placed at the head of the present article form one connected and uniform edition of M. Cousin's entire original works. The translations which he has issued at different periods, and the writings of other celebrated authors which he has carried through the press (accompanied not unfrequently with notes and introductions of his own), are not included in the plan. The three first series contain all his productions of a purely philosophical character. The fourth consists of literary fragments. While the fifth comprises the well-known Reports on Education in Holland and Germany, together with the acts of M. Cousin as Minister of Public Instruction, and his speeches in defence of the University system of France. As these volumes comprise the whole of what our author has published during a long and active life of literary labour, we may regard them as offering a fair opportunity for estimating his merits as a philosopher, an historian, and a littérateur.

Such an edition of Cousin's writings was urgently called for. Several of the publications which, from time to time, have appeared under his name, have been far from giving a correct representation of his philosophical opinions on the one hand, or of the purity of his style on the other. Lectures, taken down in short-hand from the lips of the speaker, have gone forth as though they were finished compositions; and these, again, have been reproduced in foreign editions, without receiving the slightest correction from himself, or the slightest voucher for the accuracy of their contents. For the errors and misunderstandings which have thus arisen there will no longer be any excuse; and we earnestly recommend all persons who wish to learn our author's real opinions, to abjure the use of all apocryphal accounts of them and to have recourse at once, whether for exposition or refutation, to his own acknowledged writings.

In the present edition, duly corrected and arranged by the

author, the means are at length afforded us of reviewing his career from unquestionably authentic sources. Of no living writer, perhaps, could it be said that such a review was more needed, in order to place the literary world at large in possession of his real sentiments, or of the course of their formation. To say nothing of the imperfect character of some of the former editions, it is evident that the fragmentary and miscellaneous nature of his productions, which to be properly judged of must be regarded as a whole, and the rhetorical form in which many of his most important doctrines were delivered, have of themselves contributed to scatter the most disjointed, and even opposite, notions, respecting the true idea of Cousin's philosophy, throughout the world. When we look at his collected works side by side, we find in them a series of efforts, ranging from the period in which their author was scarcely out of his teens down to the present day, each of which is not uncommonly read and quoted, as though it were a full and accurate representation of his opinions, instead of being a small portion of the several stages through which his opinions have been gradually formed. No wonder that philosophical sciolists and keen-eyed critics have discovered among them a harvest of rhetorical phrases—of verbal errors—and even of logical contradictions, upon which to practise their art and display their ingenuity. For if there are few who make sufficient allowance for the case of mental progress, where a man commits his thoughts consecutively to the press, or who forbear to stamp on its results the title of inconsistency, still fewer are there who can face a paradox without flinching, and allow to the rhetorician a licence in the statement of truths, which very probably the rigid laws of logic may neither justify nor comprehend.

The very first requisite for understanding an author like Cousin aright, is to view him as a whole; to regard each of his successive works as a fragment of the process which goes to make up our integral idea of him; to consider attentively the point from which he started—the advances he made in the course of his continued labours—the influence of men and circumstances upon his mental development—and the mode in which his intellectual life has embodied itself in his writings, as an organic growth. This accordingly is the view which it is our present design to furnish, and which will be based upon the works before us. We have no intention of criticising minutely the philosophical doctrines which our author has propounded, to wind our way through the intricate metaphysical problems he has endeavoured to solve, or to test his solutions by any scientific touchstone. Such a task might indeed be interesting to the speculative philosopher, but it would scarcely be sufficiently

attractive to the public at large. In his works, as now collected and arranged in distinct series, we shall see M. Cousin in the light of a student, a professor, an orator, an historian, and, more than all, of a great writer, whose pointed periods have touched the chords of modern society, and thrilled through the minds of thousands in almost every quarter of the civilised world.

A popular statement of the phases through which M. Cousin has passed in his progress, and of the system in which he has taken up what appears likely to be his permanent abode, may assist in removing the misapprehensions to which Professor Sedgwick alludes in a Preliminary Dissertation to the Discourse on the Studies of the University of Cambridge. After recommending the critical discussion of Locke's Essay in the Lectures of Victor Cousin, both as a guide and safeguard in passing 'onwards to the higher transcendental speculations of 'the German school,' Professor Sedgwick adds: 'The works 'of this writer have, by some men, been sneered at and under- 'valued, because they are critical and eclectic. But this may 'be, and often is, a first-rate merit. There can be no end to 'the motley forms of science, if every succeeding author is to 'give us a new system. Because we reject some part of the 'scheme of Locke, or think that the common sense induction 'school of Scotland has fallen short of a perfect system:—be- 'cause we think that the idealism of the German school may 'have been pushed too far by shutting from our view the 'true foundations of that great mass of material knowledge, 'which rests on the evidence of our senses, and is therefore 'fundamentally empirical or sensual:—because we believe all 'this, it follows not, that we are to deny the good that is already 'done or to close our eyes to the great truths that have been 'in part unfolded. No system of psychology has perhaps yet 'been published, or ever will be published, in such a form as to 'contain the whole essence of metaphysical truth.' (5th Edit. 1850.) Among the text-books for the Cambridge Moral Science Tripos of next year, the only work by a living writer is 'The Philosophy of the Eighteenth Century.'

On the early life of M. Cousin it is not our province to dwell. Suffice it to mention that he was a 'child of Paris,' educated at the Lyceum of Charlemagne; that he became a student at the École Normale, on the establishment of that institution in 1810; that he there entered on the study of philosophy under the guidance of MM. Laromiguière, Maine de Biran, and Royer Collard; and that on the elevation of the latter to the head of the University by the restored Government of 1815, M. Cousin, then only twenty-three years of age,

was appointed his successor to the Chair of Philosophy in the Faculté des Lettres. From that time to the present day, (with a few interruptions which will be noticed in the sequel), he has retained his connexion with the University of France, and laboured in it personally as a public expositor of the history of philosophy.

Before we follow him into the duties of his new calling, or describe the spirit in which those duties were undertaken, let us pause for a moment and take a rapid glance at the condition of philosophy in France at this precise juncture. The general tendency of philosophical thinking throughout Europe, during the eighteenth century, is well known. That every thing should be made clear and palpable was the unconscious bent of the age, and was made its imperious demand. Mystery it could not endure. All the secrets of the universe must be laid bare to the light of day. Wherever there seemed to be darkness, forthwith, unless light was procured, reality was denied. In fact, the spirit of Voltaire had become the master spirit of the time; and common sense, in the grossest acceptation of the term, the absolute test of truth. The effect of this tendency was to fix upon that which is most accessible to the unreflecting mind,—namely, matter and organisation,—as the sole basis of all things; to regard morals, not as the indication of the deep hidden laws of our spiritual being, but as another name for worldly wisdom; and to look upon religion as a mere creation of priesthood, cleverly designed to aid ambition, and throw dust into the eyes of the simple. A broad separation grew up between the natural and the supernatural; between that which was supposed to harmonise with the course of nature, and what were considered the shadowy creations of an unreal enthusiasm. On one side was man — a compact mass of nerves and organs — placed in the midst of a material universe; on the other side were dreams about mind, freedom, duty, and religion. It seems never to have occurred to these materialists, that there was a contradiction in the very statement of their principles,—that if man were wholly a part of organic nature, and slavishly subject to its laws, every thing which results from his organisation must be natural also; and that, assuming the ganglia and the brain to regularly secrete morals, religion, and other such phenomena, these more abstruse phenomena would have the same title to be legitimate results of the natural working of the universe as the nerves and organs themselves; and could not, therefore, rationally be thrown aside into the regions of falsehood and imagination. Such, however, in spite of every contradiction, was the bias or rather passion of that period. All departments of mental and moral science were translated into

the language of pure materialism. Cabanis, the physiologist of the school, professed to demonstrate with his scalpel the process by which a vibration of the nervous system becomes transformed into thought and emotion. Volney and St. Lambert were its moralists; while M. Destutt de Tracy elaborated the same theory on the side of psychology and logic with unusual clearness and plausibility.

What those secret and irresistible laws really are, which guide the intellectual tendencies of an age or a people, no one has yet succeeded in explaining. The fact, however, that such laws and periodic tendencies exist, can no longer be a matter of doubt. The tide of materialism, which had inundated France and wrought a sensible impression at once upon both its literature and its practical life, seemed to have reached its height, spent itself, and come to a temporary resting place very soon after the opening of the present century. A reaction was in fact then preparing, and was turning the hidden processes of thought into a new direction, even in minds apparently least disposed to yield to its influence.

The first of the public professors, in whom this nascent tendency became manifest, was M. Laromiguière. Nurtured in the school of the ideologists, nothing was further from his intention than to dispute the main principles for which the ideologist had contended. And yet we find him, in his own despite, veering round to another quarter, and giving up, almost unawares, the whole passive theory of the origin of our ideas. Such a change indeed became inevitable when he introduced the element of *attention* as an indispensable step in every act of intelligence, and maintained, as a necessary consequence, the autonomy of the human will. Connected with M. Laromiguière was a man of still greater vigour of mind, of more independent spirit, and with far stronger powers of psychological analysis, — M. Maine de Biran. Led by no teacher, impelled forward by no influences beyond his own deeply reflective nature, M. de Biran gradually modified his philosophic theory from the lowest depths of materialism, to an idealistic principle almost rivalling that of Fichte himself. Fixing his keen eye upon the power of the *will*, he stripped it of all determining circumstances, disengaged it as a primitive force from the phenomena of desire; and showed that, if we are to have one absolute basis for philosophy, such basis can be no other than *self*, at once the revealer and the type of all causality, whether in Nature or in God. There was still a third, in whom the new tendency manifested itself, combined with a peculiar gift of lucid exposition, both as a lecturer and a writer,—namely M. Royer Collard. He it was, who had the

honour of making the first open breach with the materialistic school, of declaring the whole basis of their speculations unsound, and of professing to take his stand upon directly contrary principles. Conscious that the Scottish school, under the guidance of Reid, had struggled successfully against the empiricism and the scepticism which had prevailed in England; perceiving that it had carried the main points of the controversy in a fair and open fight; M. R. Collard naturally betook himself thither to find at once alliance and sympathy in the combat commencing now in France. The principles for which he was seen contending were, accordingly, the very same as those for which Reid had contended before him. Like his Scottish predecessor, he investigated with the greatest care the doctrine of the immediacy of human knowledge in the act of perception, in opposition to that of representative ideas, or the still more materialistic theory of nervous impressions. Together with Reid, he affirmed the existence of original principles of belief; and in justice to him, let it be also said, that he had the credit of separating, far more clearly than Reid himself, the subjective and constitutive elements of human knowledge from the immediate experiences given in our perceptive and intuitive faculties.

Under the guidance of these three minds, the early philosophical education of M. Cousin had been begun and completed. The materialistic theory he had never himself imbibed. More favourably situated than his predecessors, he was, therefore, never subjected to the necessity of painfully working himself out of the dregs of ideology by an effort, in which their mental strength had been well nigh exhausted. Not only did he come upon the stage after the reaction had fully set in, but he was brought up under the direct influence of the men in whom that reaction was most clearly developed. Added to this, he had been a favourite pupil of M. Royer Collard; he had been selected by him, as the most worthy expounder of his philosophical principles; and was chosen by him, when hardly mature either in age or culture, to be his successor in the chair of the 'History of Philosophy,' on being himself called upon by higher duties to resign it. Under these circumstances it will not be wondered at that M. Cousin made his first appearance as a professed disciple of the Scottish School. His emancipation by date of birth from the sensational philosophy, his veneration for the teacher whose footsteps he had now to follow, and the reputation which the doctrines of Reid were then enjoying, as being the most energetic protest against the sceptical theories lately in fashion, all concurred to make 'the philosophy of common sense' the starting point, from which he entered on his career as a public professor.

In the December of 1815, Cousin delivered his first lecture

at the opening of the session in the Faculté des Lettres. This lecture appears in the first volume of the present series, and it leaves no doubt concerning the doctrines he had undertaken to expound, and which he was now still further to develop. It was plain that the battle against materialism would be here fought upon the field of Reid's perceptionalist theory. The principle of Descartes, — that every truth is to be ultimately referred to the *consciousness of the Ego*, — is charged with all the consequences of Berkeley and Hume; while the theory of the immediacy of our knowledge of the external world, is described as the portal into all true science and true philosophy.

'What a service,' he exclaims, 'has that philosophy rendered to the world, which, by dissipating the prestige of an illusory representation, for ever destroyed the ideal hypothesis, and succeeded in pulling down the vain props by which philosophy had sought to vindicate the material world,—in order to re-establish it on its natural foundation. Reid is the first who disengaged perception from the sensation which envelopes it, and placed it in the rank of our original faculties. The reign of Descartes ended with Reid. I say his *reign*, not his glory, which is immortal.'—I. *Série*, tome i. p. 14.

Notwithstanding the plan marked out in this opening address, the lectures which followed were any thing but a development of it. The attempt to unravel the theory of perception brought the lecturer unconsciously upon the prior question of personal identity, and the nature of the *Ego* — the perceiving principle itself. Leaving, therefore, the development of the theory of perception, Cousin devoted all his energies to explain the existence, the personality, and the substantial reality of *The Me*, as implying a self-acting and intelligent being; tracing the subject historically, all through the English, Scotch, French, and to some extent, even the German schools of philosophy. During this process, the incomplete nature of Reid's analysis of first principles gradually dawned upon him. It had been the lot of Reid to be the first boldly to take the field against doctrines which had long been deeply rooted in the philosophical mind of Europe. Intent upon the great fundamental points for which he was contending, he had little time, and perhaps less disposition, to construct them into a system, or even subject them to any very close analysis. Hence the 'first principles,' which he enumerated, were any thing but a scientific classification of the *a priori* elements of human knowledge. There was no separation yet effected between the *matter* and the *form* of our ideas; but simply an uncritical, and (as it professed to be) a *common sense* exhibition of the first truths, which rest upon universal consent, and enter necessarily into our knowledge in its various branches.

M. Royer Collard, as we before mentioned, had attempted, and not without some success, an improvement in the statement and classification of these primary principles; and had advanced so far towards the extrication of the *forms* of thought from the *concrete* phenomena, as to employ the term ‘Constitutive principles of the human Understanding.’ But the analysis was far from being complete; the critical element in his system was still comparatively slight; and the problems respecting the nature of human knowledge were hardly raised above the platform upon which they had been investigated by Reid himself.

Eric the first session was ended, Cousin became fully aware of this deficiency. His mind, naturally acute and analytic, sought to penetrate further into the relation between the knowing and the known; to see what are the elements which come respectively from each, and how they are blended in knowledge itself; to complete, in a word, the table of categories or forms of thought, which M. R. Collard had so felicitously commenced. Where, then, was our young philosopher to look for assistance in this arduous task? or, to whose aid had M. Collard owed his previous measure of success? Rumours of the Sage of Königsberg, as being the source of these improved analyses, had already crossed the Rhine. The barbarous Latin translation, for so he terms it, of the ‘Kritik der Reinen Vernunft,’ was even now in Cousin’s hands; and he determined, in spite of all the difficulty of the enterprise, to see what light could be shed upon the question from this quarter.

In the opening lecture of the next session we, accordingly, find that a very palpable element of the Critical Philosophy has been introduced into the Scottish method of the year before. The relation of Subject and Object now appears in the foreground, as the question out of which the main problems of philosophy virtually spring. The schools of Locke, of Reid, and of Kant, are regarded as representing three progressive modes of treating the same great question; all of them valuable in one point of view, and all defective in another. Thus early was the value of Kant’s critical labours fully asserted, though without yielding to them any implicit assent; and in a few bold sentences was drawn the first rough sketch of that peculiar system of Eclecticism, which has since gathered round its centre almost all the rising metaphysical genius of France, and nurtured into full growth one of the most popular, and in some respects most energetic, schools of modern philosophy.

Cousin, however, was not long content to terminate his researches with the philosophy of Kant. Excited by the reports which from time to time reached him of new and fruitful

philosophical systems, as yet wholly unknown to France, he determined to spend the autumn of the year 1817 in making, as it were, a voyage of discovery into Germany. The '*Natur-Philosophie*' was then in the zenith of its glory ; every one had been charmed with its novelty, its poetry, and the eloquence with which it had been expounded by its author.

'The great name of Schelling,' remarks Cousin, 'resounded in all the schools — here celebrated, there almost cursed ; everywhere exciting that passionate interest, that concert of ardent eulogium, and violent attack, which we call glory.'—III. *Série*, tome iv. p. 74.

In place, however, of visiting Schelling, whom he had so ardently desired to know, Cousin met, by chance, at Heidelberg, a quiet unostentatious young man, of whom he had scarcely heard, and who then passed as a somewhat clever disciple of Schelling. His name was *Hegel*. What benefit he derived from his intercourse, it would not now be easy to decide. The one knew very little of German—the other just as little of French ; and yet after the very first conversation, or rather *attempt* at it, Cousin assures us that he felt himself in the presence of a Superior Spirit ; that on leaving Heidelberg he announced him, and became his prophet ; and that on his return to France he said to his friends—'I have seen a man of genius.' Hegel, it seems, made him a present of his *Logic*, which had just appeared ; but, says Cousin, 'c'était un livre tout hérissé de formules, d'une apparence assez scholastique et écrit dans une langue très peu lucide, surtout pour moi.'

Whatever may have been the effect of this intercourse with Germany, certain it is that Cousin, during the next session, (which occupied the greater part of the year 1818,) produced a highly interesting course of lectures based upon the Ideas of the True, the Beautiful, and the Good. The opening lecture is devoted to an exposition and a defence of the principle of Eclecticism, and the second to the question of Method. Having cleared the way by a general view of these two points, he proceeds to the exposition and analysis of what are termed absolute Ideas ; whence, preserving all along the grace and clearness which so peculiarly distinguish him, he floats onward through the regions of metaphysical, of aesthetic, and of moral truth,—at the same time criticising the doctrines of every remarkable school of philosophy, developing his own more or less fully, and pointing out the applications of each to art, science, and natural theology. Whatever opinion the philosophical student may form concerning the metaphysical basis of this course, no scholar assuredly will deny either the exquisite touches of criticism, or

the sudden glimpses into broad and practical principles, which are scattered throughout the whole.

During his next vacation, Cousin revisited Germany ; and repairing to Munich, found both Schelling and Jacobi, who appear to have received him into their friendship with true German cordiality, and to have devoted an entire month — little enough — to indoctrinating him into the mysteries of their philosophy. We can hardly help envying our author the reminiscences of a visit passed with such companions. The one the most suggestive, the most poetical, the most artistic, of modern philosophers,— the man who, beyond all others, had realised the ideal side of nature, who had given to it the most lofty expression, and had construed the world most perfectly into the language of pure Idea : the other the modern Plato of the Teutonic schools, at once the critic and the counterpoise of Kant, the herald and the prophet of intuition, the conductor of the principles which Reid had introduced on the stage of perception, into the higher regions of spiritual truth. Little wonder is there that Cousin, himself a philosopher, and almost a poet—a young enthusiast too in the first ardour of the Ideal philosophy, should have allowed his enthusiasm to pass into something like blind veneration. Yet he never yielded up the proper independence of his own understanding, or failed to point out what appeared to him a departure from the sober pathway of common sense; and, however fruitful may have been the seeds sown in his mind by his new friends, he at any rate made little immediate manifestation of them. Almost the whole of the next session (that of the year 1819) was in fact devoted, not to the German, but to the Scottish school, which he here takes as the basis of an extended course on morals. * And of all the lectures which he delivered at the Faculté des Lettres, these now fill the largest volume, and appear the most complete. The character, genius, and historical position of the Scottish people are severally portrayed with spirit and accuracy : the breach made in the reigning philosophy of Locke is traced from its commencement in Hutcheson, through its further enlargement in Adam Smith, to its completion under Reid, when from it issued the systematised doctrine of common sense. Of this last philosopher he gives the following description.

‘ Reid was the hero of this philosophic warfare ; and he is a complete representation of the character of his country. There was not a single quality of Scottish genius wanting to him. It may be said of him, without any exaggeration, that he was *common sense itself*. Often common sense appeared in him somewhat superficial : often, however, profound ; but never actually defective. The Scotch good sense is full of *finesse* ; accordingly, we find in Reid an infinity of

esprit. His first work, "Researches into the Human Understanding according to the Light of Common Sense," is studded with the happiest traits. Malice and irony would appear to predominate there, were they not constantly tempered with serenity and benevolence. Above these rare qualities, moreover, there reigns an admirable method, which of itself would suffice to place Reid in the very first rank of philosophical thinkers.' — I. *Série, tome iv.* p. 26.

Hardly any thing can be more striking than the contrast whieh Cousin draws in these lectures between the selfish system of Helvetius, the moral despotism of Hobbes, and the grave, steady, deeply-pondered, timid yet sure procedure of the Scottish School, in determining philosophically the basis of good and evil. Whatever may have been the predilections, which he manifested from time to time in favour of French or German speculations, however he may have been dazzled by the vivacity of the one or the profundity of the other, still it is impossible not to perceive that the real sympathy of his nature goes along with the 'principles of common sense.' He clearly saw, that in the grave concerns of our moral life we are satisfied neither with the elegance of an easy theory, nor with the mystifications of abstract speculation; but that we ever need to fall back upon those great catholic principles which human nature in its struggles, its trials, its aspirations, its unwearied progress, has sanctioned as giving firmness to the head, courage to the heart, and steadiness of purpose to the will, in the serious duties of human life.

During the next session, that of the year 1820, M. Cousin continued his historical course upon Moral Philosophy, making now the works of Kant the great object of his study, and the main theme of his teaching. These lectures are contained in the Fifth Volume of the First Series, and comprehend a detailed exposition of the 'Critick of pure Reason,' together with a running estimate of its merits and defects. There have been more profound treatises undoubtedly written upon the 'critical philosophy'; but we much doubt whether any one has seized upon the main points of the argument with more judgment, or ever set them forth in terms so satisfactory to the common understanding. The whole, it should be remembered, was written as a university course, intended, not for the immature and philosophie mind, but for the instruction of students now first entering upon the study of philosophy,—not intended, moreover, for the eye, to be perused and reperused at pleasure, but designed for the ear, and meant to be grasped at once by the listener. For such a purpose it would be difficult to find a 'Cours de Philosophie Kantienne,' in which the matter is at once so

felicitously arranged, and so clearly and elegantly expressed. It was assuredly a remarkable proof of acuteness of mind in a young man of twenty-seven, — with every thing against him, without help or sympathy at home, in a case where a knowledge was to be acquired as well of the most difficult language of Europe, as of the most crabbed metaphysical technology, — that he should have been able to penetrate into those most subtle processes of thought, and re-produce them in language at once fervid and precise. There is, indeed, in the whole of these earlier productions a peculiar freshness and vitality. They want the ease and finish of his later works; but they are, on the other hand, impressed with the wonder and enthusiasm which characterise a mind first passing into new regions of thought, of which it can already perceive the grandeur, though not yet estimate the depths.

A sudden change of circumstances now interrupted the course of the young professor so auspiciously commenced. Having formed the project of publishing the inedited works of Proclus, he had proceeded to Italy to collate some manuscripts. Buried in literary labour, he had not been watching the political changes in his own country; where on his return, only after a few weeks' absence, he found that a reaction had set in, which must have an important bearing upon his own career. Not only was the liberty of the press curtailed, but the Government had also determined to fetter the freedom of public instruction, and close the lips of those who were thought unsavourable to Absolutism. Royer Collard was accordingly removed from the presidency of the University; Guizot was thrown out of the Conseil d'Etat; Cousin, being suspected of liberalism, was silenced at the Faculté des Lettres; and, after a short time, the École Normale was itself suppressed.

Arrested in his lectures, Cousin turned with so much the more ardour to his studies. In addition to Proclus, he now determined on rendering the entire works of Plato into French, and on enriching them with notes, introductions, and other apparatus for a critical study of the Platonic philosophy. It was during this same period of leisure that he collected the fragments he had written at various periods for different reviews and journals, and published them with a preface, in which the chief points of his philosophy, as then developed, were expounded with remarkable force and brevity. As we have now therefore arrived at the close of Cousin's first career, this seems the proper place for shortly noticing his progress as a philosophical thinker, before we pass on to the events which soon succeeded.

The first point to which Cousin had directed his attention on assuming the chair of philosophy, had been the proper *method*

of research. The *method* he adopted — as he himself reminds us — was one sanctioned by the whole spirit of the age, and the undoubted scientific tendency of the European mind. Bacon first showed, how observation and induction formed the true mode of proceeding in the pursuit of natural science: and from his time downwards the same *organum* became gradually introduced into mental philosophy. A false, or rather imperfect, application of this method had given rise, first, to the philosophy of Locke, and afterwards to that of Condillac, along with the whole materialistic school. With the very same weapons, on the other hand, this philosophy had been combated by Reid and Kant; both of whom assumed the facts of consciousness duly observed for the real basis upon which the whole superstructure of their subsequent systems was to be raised.

‘Facts,’ observes Cousin, ‘facts are the point of departure, if not the *limits* of philosophy. But these facts, whatever they may be, only exist for us, in so far as they reach the consciousness. It is there alone that observation watches them, before delivering them over to that process of induction which draws out of them the consequences which they contain within their bosom. The field of philosophic observation is consciousness — there is no other; but, within it nothing must be neglected; all is important; for every thing there holds together; and, if one portion fail, the unity of the whole cannot be grasped. To enter into the consciousness, and study with scrupulous care all its phenomena, its variations, its relations — this is the first department of philosophy: its scientific name is *Psychology*. Psychology accordingly is the condition, and, as it were, the vestibule of philosophy.’ — III. *Série*, tome iv. p. 11.

Cousin’s next purpose was to show that a careful study of all the facts of consciousness reveals three great classes of phenomena, which, however interwoven in their operations, are yet perfectly distinct in their nature. These are the facts of reason, of will, and of sensibility.

In the field of *Reason* the philosophy of Reid had already proved that we are not wholly dependent for our Ideas upon empirical impressions, but that there are original principles necessarily involved in every branch of human knowledge. Reid, however, had never investigated fully what these principles were, and never reduced them to a clear scientific statement; while Kant, possessed as he was of far greater analytic and critical powers, had performed this task with remarkable success. Cousin, accordingly, under the guidance of Kant, had gone beyond the common sense philosophy, had separated the forms of thought completely from the immediate phenomena as given in experience, and seen that it was possible to reduce them to a table of categories. The next

question he asked himself was, is the classification of Kant perfect, or might it not be simplified still further? And the result of his inquiry was the reduction of the four head categories of Kant to the two fundamental ideas of Substance and Cause. Thus far the analysis was simply confined to subjective phenomena. The actual facts of consciousness had been first observed; then they had been traced up to their primitive states, as shown in our rational, voluntary, and sensitive life; and, lastly, the conceptions of reason had been reduced to two great categories, under which all its varieties might be marshalled. The next point, however, which Cousin attempted to investigate, was the passage from psychology to ontology,—from the facts of consciousness to the facts of existence. And here it is that he introduces the notion of the impersonality of Reason, viewed in its purely spontaneous activity; and joins issue with Kant, who had concluded, that *pure* reason only establishes the existence of objective realities within the limits of our sensible experience: thus throwing the evidence of all transcendental realities — such as the being of a God — upon the decisions of the *practical* reason. We freely confess, however, our opinion that, after all, this dispute is more verbal than real. Kant admits that we actually *do* get to the knowledge of ‘noumena,’ or things beyond sense, — holding only that we get there through the practical reason; while Cousin shows that we get there by the spontaneous reason. The mode of stating the question and also the terminology differ, it is true; but the grand result is the same. Like most other metaphysical distinctions, there is no difference in the actual experiences from which all take their start, but only in the terms under which we give them a scientific statement.

Next to the reason, Cousin proceeded to analyse *the Will*. The main purport of this analysis was to prove that will is identical with personality; that it is the universal type under which we conceive the idea of a cause; that, mingling in two different ways with the reason, it forms, in the first place, the spontaneous, and in the second place, the reflective mode of intelligence; and that it belongs to the very essence of the mind alike in its spontaneous as in its reflective life, to be free.

Last of all comes the analysis of *Sensation*. This faculty, he shows, viewed in connexion with the reason and the will, enables us to carry our observations into the regions of Nature,—to see the world around us as a vast assemblage of causes,—to trace their laws, and measure their force. Here, accordingly, the dualism of the universe gives way to the perception of the

essential unity of mind and matter; both being included under the common category of causality.

'Vary and multiply,' says Cousin, 'the phenomena of Sensation as you will, still reason always refers them, and that necessarily, to a force, to which it successively refers, in proportion as our experiences extend themselves, not indeed the internal modifications of the subject, but the objective properties calculated to excite them. In other words, it develops the notion of *cause*, but without going further; for properties are always causes, and can only be known as such. The exterior world, therefore, is simply an assemblage of such causes, corresponding to our real or possible sensations; and the relations of these causes among themselves are the order of the world. Thus the world is made of the same *stuff* as ourselves, and Nature is the sister of man: she is, like him, active, living, animated; and her history is a drama as well as our own.'—III. *Série*, tome iv. p. 30.

Such were the results to which Cousin had arrived in the first period of his philosophical career; — results which certainly require to be well guarded and accurately explained; but which, notwithstanding, lay firm hold on some of the main principles to which all science, whether physical, metaphysical, or moral, has, for some time past, been steadily conducting us.

There is yet one application of our author's philosophical principles, to which we must here briefly allude; — and that is, Natural Theology. According to Cousin, there is a point in which the conception of cause and substance unite. The mind cannot rest in the ultimatum of an assemblage of causes on the one hand, or a vast variety of substances on the other. We are necessarily impelled, by the very laws of reason, to seek and to demand some unity to which they stand alike related; in other words, to trace them up to a great first cause — to an absolute being — to a God. Here, therefore, we are brought to the infinite, as being at once the counterpart and the complement of the finite: and our ideas of *mind* and *nature* may be reconciled and grounded in that central point of absolute unity which we term *God*. The following passage is a specimen of the style of reasoning which we are now describing: —

'The facts of consciousness, which comprehend three internal elements, reveal also to us three external elements. Every fact of consciousness is psychological and ontological at the same time; and comprehends, from the first, the three grand ideas, which science afterwards divides or sums up, but which it can never transcend; namely, Man, Nature, and God. But the Man, the Nature, and the God of Consciousness, are not vain formulas — they are facts and realities. Man is not in consciousness without Nature, nor Nature without Man; but both meet there, at once in their opposition and their reciprocity; just like relative causes and substances, whose

nature is always to develope themselves, and always by means of each other. The God of Consciousness is not an abstract Deity—a solitary monarch retained on the other side of creation, upon the desert throne of a silent eternity and an absolute existence, which, indeed, could resemble only the nonentity of existence: he is a God at once real and true; one and many; eternity and time; space and number; essence and life; indivisibility and totality, principle, end, and middle; at the summit and at the base of existence; infinite and finite at once; in brief, a trinity which comprehends at once God, Nature, and Humanity.'

That Cousin penned this and some similar passages under the immediate influence of the pantheistic side of Schelling's philosophy, can hardly be doubted. To deny their purely pantheistic character is plainly impossible; neither does the author himself appear disposed to defend them from this charge, which has been so often made against them. Instead of this, in a note to the present edition he admits that he was led, in the hurry of composition, into 'des phrases excessives'; and he has given, in a note to the Fifth Lecture of the Second Series, an exposition of the views which he is to be considered as properly maintaining, when stripped of all oratorical figures. In this note he points out, forcibly and clearly, the middle path (which he considers to be the true one) between the abstract deity of the scholastic theology, and the pantheism of the modern German school. It must be confessed, we think, by every candid reader of the note, that Cousin entirely clears himself in it of the charge of pantheism, as being either an admitted element or result of his philosophy. Those who are only seeking for an opportunity of party warfare with him, in either politics or philosophy, may undoubtedly cull a number of 'phrases excessives' from his writings, and hold them up as decisive evidence of his opinions. It is not, however, from sudden and rhetorical phrases that the real opinions of fervid writers are to be gathered; since, for the sake of greater force of expression, their opinions are not unfrequently thrown into the form of paradoxes, in which the latitude of one is left to be counteracted by the restrictions of another. But let his critics look to the whole structure and tendency of his philosophy, and we assert, without the least hesitation, that they could not honestly venture on such a charge. Indeed, pantheism has always been the child of over-wrought speculation, the refuge of the recluse, when worn out with pondering over the mysteries of existence and the insoluble problems of human destiny; while the whole tendency of our author's eclecticism is to depreciate mere individual speculation, to appeal to the sentiments of mankind at large, and to consider that no philosophical dogma has any authority whatever, until it is shown to be based

upon and sustained by the massive foundations of common sense.

Passing from this digression, and resuming the thread of Cousin's philosophical biography, we come across an episode which was not without effect upon his subsequent literary productions. During the year 1821, his public duties being suspended and his health precarious, he devoted himself, in his retreat near the Luxembourg, to the philosophical works on which he had been for some time engaged. It was the year of the Piedmontese Revolution, the failure of which brought the Count de Santa Rosa to Paris. An almost fraternal affection sprang up between them, which only terminated with the death of Santa Rosa in Greece. About the time that the Italian patriot left for Greece, Cousin departed for Germany, as companion to the young Due de Montebello. He had always been the advocate of liberal opinions; he had joined the association formed by the Due de Broglie for the maintenance of the freedom of the press; and he was now the bosom friend of a revolutionary exile. Having thus become an object of suspicion, his steps were watched; and no time was lost before he was accused of visiting Germany for the purpose of promoting rebellion against the governments, was arrested at Dresden, and conveyed a prisoner to Berlin. However, after some months' confinement, an honourable acquittal followed of necessity, with the advantage, during his detention, of having enjoyed the constant society of Hegel, Schleiermacher, and their followers. Berlin was then famous for its school of philosophy; and these were its two greatest thinkers.

In 1825, Cousin returned to Paris, and lived there the next two years in obscurity. In 1827, however, when M. de Martignac became prime minister, and the policy of the Government assumed a more liberal tone, he was restored, in common with Guizot and Royer Collard, to his original position at the Faculté des Lettres. The brilliant success which attended his next public course, must be looked upon as forming the zenith of his renown as a professor of philosophy. Never, perhaps, (without going back to the days of Abelard) was so large a concourse assembled to listen to a series of lectures on such a subject. Moreover, when we consider that these lectures were accompanied by contemporaneous courses under Guizot and Villemaine, which were listened to with equal ardour, we can hardly fail to regard the whole as forming in itself a remarkable era in the literary history of France. Above 2000 auditors were present on these occasions, collected from the very *élite* of the metropolis; reporters took down the words as they fell from the lips of the professors; and in a short time the sentiments

which had absorbed the attention of this crowd of hearers at Paris were on their road to every corner of the country. Let us look then for a moment to the lectures themselves, and see what were their contents.

The preface to the fragments, of which we before spoke, was written subsequent to Cousin's return from Germany; and it forms the middle point between his earlier and his later philosophical doctrines. In it we find his first decided attempt to construct a passage from the psychological system with which he started, to the more purely rational system to which he was now advancing. The influence of the Hegelian philosophy, after this, becomes for a time more and more manifest. Such is especially the case with the course delivered in 1828, which grasps some of its principal ideas, and puts them forward in a popular and often in a very striking form. The course itself purports to be a general introduction to the study of the history of philosophy. Its aim is to give such an explanation of philosophy itself, when considered as a necessary element in the life of man; such an analysis of the great ideas, from which all human development must originate; such a view of the plan of Providence in human progress, and the modifying influence upon it of race, climate, geographical position, and other circumstances, as should lay the foundations for a philosophical treatment of history, and rescue it finally from its purely empirical character.

The mode in which this is carried out has undoubtedly a close affinity with the Hegelian view of human consciousness, as a process of thought in which the divine idea perpetually realises and unfolds itself. We have the same bi-polar representation of ideas, as being a unity between opposites; the same virtual identity established between thought and existence; the same doctrine of the *immanence* of Deity in creation; the same constant striving to find a purely rational expression for every thing, whether in nature, history, or theology. We do not mean to say that Cousin developed these views with any degree of perfectness; but they assuredly represent a temporary phase, through which his mind actually passed at that period. The course of 1829, on the other hand, is far less Hegelian in its whole character. The author is now again upon his own more proper field; the various movements of the human mind, in its search after truth, come once more before him, in the form of different philosophical systems; and he descends from the transcendental regions through which he had been wandering, to the more sober work of criticism. This year's course, which comprises the two last volumes of the second series, will, in all probability, be ever the most popular of his writings. The connected account

which it gives of the history of philosophy from the earliest times; the distinct classification it makes of systems; the brief yet intelligible glimpses it affords into the interior of almost every school, whether ancient or modern, together with the detailed analysis of Locke, in which is said almost all that ever need be said about the ‘Essay on the Human Understanding;’ in a word, the singular union of the more sober criticism of the psychological school, with occasional flights into the higher regions of metaphysical analysis, all concur to secure for the course of 1829, an interest and a value peculiarly its own.

The great distinction, however, between the first and second period of M. Cousin’s philosophy, is the introduction of the idea of History as an element of speculation, and as contributing an essential part towards the proper comprehension of philosophy itself. From the time of Herder, downwards, it had become manifest, that if any fresh life or vigour is to be imparted to philosophy at all, it must be attained by going beyond the analysis of the individual mind, into the broader field of humanity itself. Mind, reason, thought—call it what we may—has a history and a development of its own, and involves certain great laws of progress, quite apart from the individual. These laws can be watched, and to some extent, at least, be determined by a careful process of investigation; and thus the empiricism of history may unite with the *à priori* elements of philosophical speculation, to pour new life into the great problems of man’s nature and destiny. Without this vital element of human experience, metaphysics were coming to be viewed more and more as a mere battle field of words and phrases, grounded upon the inherent force of words or forms of speech round which it revolved, but having no value beyond. The most inveterate speculators of modern Germany have at last taken refuge in *History* against the dismal prospect of being choked by the intense dryness of their own productions. Fichte relinquished his $\Lambda = \Lambda$, for the characteristics of the age and the inspirations of patriotism; Schelling’s philosophy was a history and a drama from the very first; and Hegel too, whose hardihood in abstraction is probably without a parallel, yet was constrained to make his dialectical scheme a *process*, in order to give a little movement and interest to the stiffened formulas of which it consists. Schleiermacher, the unmatched theologian of his age, in like manner threw life into the dead rationalism, and, if it were possible, the deader orthodoxy which surrounded him, by showing how the historical growth of the Christian consciousness in the world became a perpetually renewed foundation of formal theology; while the whole of the social philo-

sophy of France, from the dreams of St. Simon to the positivism of Auguste Comte, was based upon some theory or other of human progress, under the conditions of time and labour.

Under these circumstances, the idea of History became more and more present to a nature always full of the views of others: so much so, that this idea constitutes, it seems to us, the main characteristic of Cousin's later productions. During his earlier period he was working mentally in sympathy with Reid, Kant, and Royer Collard; his great aim then was to analyse the individual mind, to enumerate all the phenomena of consciousness, to disintegrate the form from the matter, and to base his whole conclusions upon these comparatively special grounds. Now, on the contrary, he has passed from the individual mind into the mind of humanity; he is seeking not simply the laws of *his own* reason, but the laws of the *universal* reason; and consequently, the main burden of his theme is, changed from the region of psychological analysis, to the rational interpretation of history, the universe, and the Absolute.

The struggle we perpetually witness in these later writings,—that of reconciling the psychological starting point with the absolute results to which they aspire,—probably foreshadows the future course of philosophical speculation. It is a course which indeed has already set in beyond the Rhine, with a clearness and a force not to be mistaken. The age of mere logical pastime has gone by; the attempt to construct an absolute truth by abstracting the laws of logic, and representing them as realities through the dialectical subtlety of words, can no longer satisfy the cravings even of the most abstract thinker; it is seen, by most eyes at least, that there is no such thing as an absolute man or an absolute reason; but that in the course of providence, truth, human truth, is continually unfolding itself; that by the secret laws of spiritual progress, the mind of man gets a deeper intuitive insight into the phenomena of nature, and the moral world; and that the problem of philosophy in every age is to embody the highest experience of that age into a reflective system of ideas. The next great philosophy in which the mind of Europe can unite will be, in all probability, the philosophy of history; and then the critic of *pure reason* will become the critic of *language*, as the great organ of the world's intellect. Experience, and its interpretation, will thus be the two sides of a system, of which history and fact will furnish the one, logic and metaphysics the other. It is in this unity that the old opposition of Empiricism and Idealism must, if ever, disappear.

The events which now ensued form an important portion of

M. Cousin's public life. But we must pass over them rapidly. In 1830, the revolution of July opened a noble field for men of letters and liberal opinions. Two of his contemporary professors, MM. Guizot and Villemain, entered boldly upon the political arena. Cousin remained faithful to philosophy, accepting, however, the Presidency of the Ecole Normale. From this moment he devoted himself to the reorganisation of the entire system of public instruction—at the same time carrying on his labours as the historian of philosophy, both in his lecture room and with his pen. Having reconstructed the Normal School, and arranged the programme for graduation in the department of Philosophy, he next turned his attention to the education of the people at large, and determined to lay the foundation for a new and improved system of primary instruction. For this purpose, in the year 1831, he made a tour of inquiry through Germany and Holland. The results at which he arrived were embodied by him in the detailed Report, which has since been so favourably introduced to the English public by Mrs. Austin. The Report served for the basis of the Law on Education. Subsequently adopted by M. Guizot, it has been read and quoted with approbation by the most enlightened educationalists in this country, and has been distributed, by order of the Government of New York, to every public schoolmaster in the State.

In 1832, M. Cousin was raised to the peerage, and was at the same time urged to take a more direct part in political affairs. He has appeared, however, but rarely in the debates, and chiefly in connexion with the laws relative to public instruction. When in 1840 he joined the Cabinet, it was as Minister of Instruction. He held the office only eight months, but time enough to introduce a vast number of reforms, which he afterwards included in a volume, entitled 'Principaux Actes du Ministère de l'Instruction Publique, du 1^{re} Mars au 19^{me} Octobre, 1840 ;' this, along with some additional matter, now forms the three first volumes of the fifth series of his works. The chief struggle, in which he was engaged during his more public career, was the defence of the University against the attacks of the ecclesiastics : it is a struggle still going on under the Republic, and not more successfully than under the Monarchy before it. In 1841 Cousin, leaving the Cabinet, re-entered upon his duties at the University ; and, from that time to the present, he has quietly occupied himself with literary labours, among which are those relating to Pascal and his sister Jacqueline, and the unpublished fragments of the 'Philosophie Cartesienne.' In 1846 he commenced the entire edition of his own works, which is the basis of the present Article, and of which five series

are published already. Besides these, a complete edition^{*} of Abelard may be soon expected from him. So absorbed, the revolution of 1848 passed over his retreat at the Sorbonne, like a storm which could shake his dwelling indeed, but not disturb its repose. Faithful to the principle of a constitutional monarchy, he saw too plainly the risks and ultimate tendency of the Republic to welcome its establishment; and though he still retains his position at the Sorbonne, yet he has withdrawn latterly more than ever from political contention within the bosom of those pursuits, neither less useful nor less dignified, which he so long has found sufficient for both happiness and renown.

We must now finally endeavour to sum up briefly our biographical remarks, with a general estimate of Cousin's merits as a philosopher, an historian, and a writer. And first of all, in order to fix aright his true place in the domain of philosophy, we wish to submit the following preliminary remarks in explanation. There are three methods, more or less observable in all ages, by which different schools have attempted to give a theoretic or philosophical form to human knowledge. First, there is the method of *simple observation*. To arrange our experiences of the outward world and throw them into some appreciable order, is the soberest and most cautious effort of the philosophic spirit. Knowledge exists before philosophy, but exists in its practical and spontaneous form. It is the marshalling of this knowledge under the laws and conditions of the intellectual faculty, in which the very essence of philosophy consists. This attempt is, in some instances, carried only to a certain length. Mere observers may be content with accurately marking phenomena as they present themselves, seizing upon some of the most striking characteristics, and then seeking to classify them. This is what we intend by the method of simple observation,—a method in which the immediate object of perception, empirically considered, greatly preponderates over the intellectual form in which it is represented.

The second method may be more properly termed the *reflective* method. Here the concrete phenomena are not only observed and classified, but there is a direct striving, on the part of the intellectual faculty, to *think itself* deep into their nature, their origin, and their fundamental unity. The immediate phenomenon here plays a more subordinate, though at the same time an indispensable part; while the laws of the intellect are more vigorously pushed forward with the view of moulding the phenomenon into their own definitive form.

The third method assumes the character and title of the method

of *pure reason*. Here the empirical element almost entirely disappears. The main effort of this system is to realise and express the pure laws of intellect, as though they alone were eternal verities; while the only part which outward phenomena can play under it is, to show themselves over-matched by intellectual forms, and to become but the shadows of mental laws and forces and the passing reflection of their productive energy in the world.

Of the first of these methods we have the most obvious and pleasing illustrations in the departments of natural history, and some of the purely inductive sciences. Here observation and classification do almost all the work, and yet this work is performed (as Dr. Whewell has shown) under the law and guidance of some intellectual idea, which may increase in intensity, until the process of observation merges into that of reflection, or even produces — as in the case of Schelling — a purely intellectual *Natur-philosophie*. In mental science, the method of simple observation belongs to those who make psychology equivalent to philosophy, and so reduce it all to a mere tabulation of internal phenomena. Of the second or reflective method, we have many illustrations. We find it developed in one form in the philosophy of Plato, and still more clearly in the new academy. In later times, it has been differently manifested in Descartes, Leibnitz, Kant, and Jacobi; in all those moralists who, starting from the intuition of the good, strive to compress the phenomena of morals into a logical form, and in all those theologians who, with Schleiermacher, base their system upon a reflective expression of the actual facts of Christian experience. Of the last or rational method, the most obvious examples are the ideal systems of modern Germany; and of these, the most absolute form is the philosophy of Hegel. With him logic, as the pure expression of the laws of thought, is the nerve, bone, and sinew of all philosophy. It will not do with him to observe or to reflect merely; — every thing must be *thought*, it must be seen under the form of pure intellect, nay, it must be a creation of the intellect, construed by it out of nothing, and then its place assigned it in the vast dialectical system of the universe.

Now the position which Cousin takes in this classification is perfectly definite. Although in his opening career there was a leaning towards the method of observation, — although, under the effects of German intercourse, we find expressions now and then which savour strongly of Hegelianism, yet the predominant tone of his philosophy throughout is purely reflective. No one more clearly takes his stand, primarily upon the actual

facts and phenomena of the human mind;—no one more vigorously asserts the authority of common sense; no one more distinctly affirms, by every possible mode of affirmation, his firm conviction, that the material of truth is given in our immediate experience, whether by the perception of the senses, or by the immediate intuition of the soul, while the business of philosophy is to present it to us in a reflective form. One or two passing expressions laid aside, there is absolutely no similarity between the main principles of Cousin's philosophy and those of the German Idealists. His real affinities are never either with Schelling or Hegel — they are always with Plato, Descartes, Reid, and Jacobi.

Now in order to estimate the positive worth of this philosophy in France, we have only to place it by the side of the system which it has supplanted in the teaching of the universities, and we might almost say in the popular faith of the country. It is needless to recount the dreary characteristics of the materialistic systems of the last century and the early part of the present. We only point to the fact, that the vital elements of man's universal belief, as a rational, social, moral, and religious being, are as much thrown into oblivion by the purely empirical school, as they are ignored in the logic of Hegel. Professing to stand upon the basis of experience, that school disowns all classes of experience but one, — and that one the least noble of the whole. To the popular outcry for a philosophy of experience based upon sensation, Cousin opposed a philosophy of experience based upon the deepest and most irrepressible convictions of our nature. His system of eclecticism, though by no means compact as a theory, has consisted in one constant appeal to the convictions of mankind, against the claims of sense on the one side, and the offspring of mere speculation on the other. Convinced that philosophy, as such, can only deal with the forms of truth, — convinced that, though it may enunciate a law, it can back it with no independent authority,—he has ever rested his strongest arguments upon the common beliefs of humanity, as alone able to supply the authority required and to force it upon the reverence of mankind. No movement was more deeply needed in France, at the time at which Cousin took up the study of philosophy, than this: and the result of it has unquestionably been, a more wide-spread change, as well in the public teaching of the country, as in its popular feeling, art, and literature, than (with the exception of Voltaire) was ever effected among a single people by an individual mind. We do not mean that all which he has contended for is defensible, still less do we mean to say that it supplies what a pure religious faith can alone create;

but, if to have re-established some respect for the principle of free agency—the law of duty—the doctrine of Immortality—the belief in a personal Deity and a Providence, in a country where those convictions had well nigh died away, be something worth the doing, then, in the part he has contributed towards it, has Cousin deserved well of his fellow citizens and of his age.

As an historian and an editor, the merits of our author have been less contested than as a speculative philosopher. We can merely enumerate his exertions in this department. In ancient philosophy, we have first and foremost the Translation of Plato, with critical introductions to most of the dialogues; next, we have the first book of the Metaphysics of Aristotle, translated into French; thirdly, six volumes of the Alexandrine Commentators, edited by him; and lastly, a volume of Fragments, intended to give an insight into the interior of most of the ancient systems. With regard to the middle age philosophy, Cousin has done some service by bringing to light the inedited manuscripts of Abelard, which, as we said, will now be soon followed by an entire edition of his works. To the History of Modern Philosophy he has made a highly valuable contribution, by his magnificent edition of Descartes, and his labours upon Pascal. In addition to this, the occasional elucidation, which all his works afford of the chief systems of more modern times, has done much to draw attention to the subject. Of the number of critico-historical works which have come from the French press for the last ten years, the greater part may be looked upon as being in some sense a direct consequence of Cousin's labours.

Lastly, though as a thinker, Cousin must yield the palm of originality and depth to others; though, in amassing the materials of history, the laborious scholarship of Germany will still claim an undoubted pre-eminence, yet there is one character in which we doubt whether he has been surpassed; and that is in almost every thing which goes to form what the French call ‘un grand écrivain.’ Of all nations in the world, the French are among the greatest masters of prose; and of all their prose writers, scarcely any one can be said to excel Cousin in power of expression and perfect finish of style. No doubt there is a great difference in this respect, according as we refer to different periods of his life. The earlier pieces have certain marks of immaturity about them which were to be expected from so young a man; while some of those belonging to the middle period are far too oratorical in their construction to serve as a model for calm and philosophic statement, although admi-

rable as specimens of metaphysical improvisation. This is an error, into which lecturers before mixed audiences are too likely to fall. The lovers of lighter literature will see his style in all its purity in some of the later fragments, such as the biography of Santa Rosa, and the articles on Blaise and Jacqueline Pascal. The peculiar faults of most modern compositions—diffuseness and excessive rhetorical embellishment—are here avoided; and when ornament and figure are introduced, it is for illustration only, and in the most perfect taste. Nothing is strained or overloaded; nor is there a sentence more than is necessary to convey the meaning clearly and forcibly to the reader; yet, with all this, there is an ease, a harmony, a music of language and of feeling, which renders the whole as penetrating as the highest poetry.

Some, even among competent judges, may think that the preceding pages are too partial: and we are not ashamed to admit that the small detraction of verbal critics, to which M. Cousin has so often been exposed in this and other countries, has impelled us to dwell upon those many excellencies which they have failed to notice, and are, often, perhaps, unable to appreciate. We have all heard of his rhetoric and inconsistencies, and have been reminded that his talent lies in words rather than in thoughts. Some critics apparently are of opinion that philosophical greatness consists wholly in dialectical subtlety—in the pertinacious carrying forward of logical deductions, without ever turning back to look into those indispensable premises to which every thing must be ultimately referred, and which, indeed, rest in the nature of humanity itself. Cousin's metaphysics are certainly not great in this respect; they are as much the metaphysics of the poet as of the logician; and much, indeed, should we rejoice if our verbal disputants would but attempt for once to give to their philosophical ideas that life and power and practical effect which are so characteristic of Cousin, before they venture to reiterate their contempt. Let us acknowledge, that there are qualities in the true philosopher greater than mere subtlety; that to govern words, apply them wisely, make a language bow beneath him and fulfil his bidding, if not the highest praise, is something more than to be ever slavishly disputing about terms and definitions. And, assuredly,—if a life earnestly devoted to philosophical literature,—if the organisation of one of the most energetic schools of the age,—if a power of irresistible eloquence,—if the graces of classical composition,—if the fact of guiding the entire current of a national philosophy for more than twenty years,—if the creation of a vast metaphysical literature, and

the re-establishment, more or less, of all the educational institutions of France, be any claim to public gratitude, — then will the names of few men of letters of the present century be entitled to take precedence of that of Victor Cousin.

ART. VI.—1. *Gaspacho: or Summer Months in Spain.* By W. G. CLARK, M. A., Fellow of Trinity College, Cambridge. London: 1850.

2. *Revue Retrospective, ou Archives Secrètes du dernier Gouvernement.* Nos. 4, 11, 12, 13. *Mariages Espagnols.* Paris: 1848.

IN a somewhat abstracted nook of that busy and material Europe, — which is seen traversed on all sides by railroads, corresponding in all directions by telegraphic wires, constructing tunnels under the Thames, throwing bridges over the Dordogne and the Menai Straits, — there exists a strange and romantic land, which the noisy wing of the restless, money-making Genius called ‘Progress’ does not seem to have touched.

The greatest part of its inland traffic is still carried on, after the primæval fashion of past ages, by pack-laden mules, which in crossing the country by almost imperceptible paths, bear small articles of necessity or convenience from the town to the village, from the village to the town. Its high roads are few in number, and on the best of them the traveller who meets with a tolerable inn once in every fifty miles is a lucky man. Early in the morning the small farmer may be met riding to market with a long gun tacked to his Moorish saddle; and the traveller who leaves his *posada* towards evening takes care to journey ostentatiously armed. The great national amusement is still the same which diverted the people some hundreds of years ago. In an immense circus, crowded by persons of both sexes and all classes, from the *Manola* to the *Duquesa*, every eye is fixed upon an infuriated bull, which, goaded by javelins, pursued by cries, rushes first on the spear of one *picador*, then on that of another, until, after tossing a certain number of horsemen in the dust, and sending a due proportion of horses staggering on their bleeding entrails round the ring, he at last falls, — deceived by the red flag, daunted by the firm eye, and stabbed by the cool hand of the steady *matador*, amidst passionate plaudits, waving handkerchiefs, and the contending smiles of humble and of noble beauty.

In this singular land still pass scenes of love, intrigue, and action, which would seem exaggerated in the page of the novelist or on the stage of the theatre. The sudden elevation of the

favourite, the abrupt fall of the minister, the plot in the palace, the insurrection in the street, the mysterious scandal whispered about the court,—all furnish stories which appear from time to time in our newspapers, little less marvellous than the adventures of Mr. Borrow; startling the credulity and, in their rapid succession, confusing the memory of our quiet fireside politicians. Yet, though life in the country of which we are speaking appears before us rather as a melodramatic performance, in which the scenes of the Middle Ages are represented in modern costume, than as a sober reality of our own epoch, that country known under the denomination of Spain, is itself no mere ideality. It has an extensive and important territory, with magnificent ports in two seas, it borders upon France and Portugal, is in the immediate neighbourhood of Italy, confronts the northern coast of Africa, is endowed by nature with all her products, and possesses a hardy and diversified people. No wonder, therefore, that it is an object of grave importance to an English statesman.

This consideration induces us to attempt, after a summary fashion, to unravel the complicated mesh of a political history, which, for nearly twenty years, must have been puzzling the brain and wearying the observation of many of our readers. We speak of the political history of Spain, since the death of Ferdinand VII. in 1833.

The tale begins, as is fitting the subject, with an incident combining at once love and politics. Ferdinand, in his old age, married a young, charming, and able princess; and in order to leave his crown to the only children he had by her,—namely, two daughters,—he abolished the Salic law which at that time prevailed in the kingdom. This change in the right of succession divided the court into two parties: that of Don Carlos, who, by the law of the old *régime*, would have inherited the crown; and that of Queen Christina, who, as regent, administered the government for her infant daughter, Queen Isabella. The first represented old traditions: it was necessary, therefore, for the second to appeal to new ideas. Thus the *Carlists* took up arms for absolute monarchy; the *Christinos* for constitutional liberty.

These last, however, soon became themselves again divided into two conflicting bodies,—viz. the *Moderados*, who were in favour of the constitution which had been granted by the crown, and which was favourable to the interests of the aristocracy and landed gentry; and the *Progresistas*, who wished for a constitution giving more power to the middle classes, being chiefly the inhabitants of the towns. The most aristocratic of these two bodies, though then actually in power, was, as long as Don Carlos kept the field, in a weak and false position. To allow the war to

languish, was to prepare the victory of one opponent; to carry it on by popular measures, was to risk transferring their authority to another. But a single alternative remained — foreign assistance; and as the assistance of France was the nearest at hand, and capable of being the most efficacious, the *Moderados* sought from the French such aid, as they thought might be sufficient to put down the rival pretender to the crown and keep out the rival party from office.

Queen Christina naturally inclined to this course: And she was awaiting an assistance, on which she had sonic right to reckon, amidst the magnificent fountains and shady avenues of the royal summer residence at La Granja (a solitude which, it is said, she had sought in order more freely to indulge her rising passion for a young and handsome officer in the Royal Guard, by name Muñoz), when suddenly a military insurrection broke out among the troops who had accompanied her to this secluded spot. It was seconded by a movement among the people at Madrid, and was successful. The *Moderados* were driven from office. The *Progresistas* entered it, and established a form of government which suited their views, and was calculated to keep them in power. The military force of the middle classes was organised throughout the towns by the creation of a National Guard; while the civil authority of the middle classes was also established on a similar basis by means of municipal corporations popularly elected.

The English Government had at that time a general interest in Queen Isabella's cause. For, the political sympathy which was drawing the absolute monarchies towards each other, made it plainly desirable that constitutional States should also spread their principles, and augment their alliances. England had as yet manifested no preference in favour of one or the other of the two parties into which Queen Isabella's adherents were divided. Nevertheless, any one who is acquainted with Spain, and its immemorial division into English and French factions, will easily understand what now followed: how those who had looked to France for help were almost certain to entertain the conviction, and at all events quite certain to raise the cry, that their opponents were supported by England. Thus the Revolution of La Granja was instantly declared to be the work of the English representative and of English gold.

The French Government had an especial object in cultivating this supposition. The abolition of the Salic law had broken down the fence, which had long kept Spain and France under the joint sway of the Bourbon family. The two princesses, now heiresses to the Spanish throne, might contract such marriages as

would completely sever the two Crowns and the two Countries. The French wanted some Spanish party which should oppose this separation. They could not hope to find it among the *Progresistas*; because, as representatives of the popular feelings in Spain, the *Progresistas* were naturally hostile to any thing which favoured French domination. They could not hope to find it among the Carlists, because these, faithful to the principle of legitimacy, looked upon King Louis Philippe himself as an usurper. But neither of these objections applied to the *Moderados*. Many of the men of letters in their ranks had imbibed a taste for French literature. Many of the great nobles professing these views, held titles which had descended to them as a badge of devotion to the grandson of Louis XIV. The whole body were opposed to the Duke of Bordeaux as standing in the same situation towards his own country, that Don Carlos did towards theirs. Here, then, was a great and powerful band of Spanish politicians, who, besides their immediate need of the support of the French Government, would not be indisposed subsequently to support the views of the King of the French, and unite in misrepresenting their adversaries as revolutionists and enemies to the throne.

After giving this explanation respecting the connexion between the Government of France and the *Moderados* on the one hand, and the origin of the connexion between the *Progresistas* and the Government of England on the other, we must pass on rapidly through an accumulated series of startling events.

The civil war terminated successfully for the Queen Regent; a result (it must be confessed by all impartial persons) greatly owing to the two institutions,—‘the National Guard’ and ‘the popular corporations’ which the *Progresistas* had introduced,—institutions which had given a vigour and action to a class in Spanish society, the influence of which had never previously been felt. It is probable, however, that this class exercised the temporary authority it had acquired over the upper with little forbearance. Be this as it may, the aristocracy could not brook the position into which they had now fallen, nor did they find it difficult to keep alive in the breast of the Queen Regent the memory of the insult she had experienced at La Granja. The consequence was, a common determination between the nobility and the crown, to make an attempt, under legitimate forms, at remodelling the constitution. The first blow aimed was against the corporations; these saw their danger: the National Guard was their military force; it seconded their petitions by rebellion. Every thing at such a crisis depended on the army; the still beautiful widow of King Ferdinand determined to try the effect of her personal eloquence upon the general who com-

manded that army, and who had acquired an extraordinary *prestige* by the fortunate termination of the civil war. She left the capital, and sought General Espartero's camp in the neighbourhood of Barcelona; but her arguments or blandishments were employed in vain. As she found that she could not make her policy prevail, she retired into France; and was succeeded in the high office which she abandoned, by the successful soldier whom she had failed either to convince or to seduce.

It is easy to see that these events could not be agreeable to the French Government; they had overturned the party, and driven out of Spain the princess on whom the Bourbon policy of France had principally relied. It is easy to see also, that the same events, although they presented no particular advantage to the English Government and caused no particular satisfaction to it, could furnish it on the other hand no especial occasion for regret. This slight difference in feeling was as usual exaggerated; and, in the same manner that the insurrection at La Granja had been described by the French journals and the *Moderado* press, as the work of English gold and of Mr. Villiers (now Lord Clarendon); so this subsequent revolution was equally declared to be the work of English gold and of Mr. Aston, who had not long succeeded Lord Clarendon as British minister at Madrid. These reports, however, appeared of little consequence, since the power of the General whom the recent turn of affairs had raised to the regency, seemed secure. Meanwhile that power had, after all, one irreconcileable cause of weakness—it ceased at the young Queen's majority. This circumstance, more, perhaps, than any other, rallied against it a formidable band of malcontents, among whom were some of the most eminent of the *Progresista* leaders. Joining with their old enemies the *Moderados*, they provoked an extensive rising in 1843; and the insurrection was finally brought to a successful issue by the landing at Valencia of General Narvaez, a *Moderado* officer of repute, at that time in exile on the French territory. This daring man, whose determined character was already known, but whose keen grey eye and fierce expressive countenance now appear for the first time in the foreground of the picture of Spanish politics, marched with rapidity to Madrid, routed a considerable force near the Spanish capital, entered it, and at once established his authority. General Espartero was forced to embark for England; Queen Isabella, aged thirteen, was immediately invested with the Royal authority; Mr. Aston, disgusted with the unrelenting and violent abuse to which he was subjected, withdrew from his post, being succeeded by Mr. Bulwer: whilst Queen Christina returned to Spain, and finished her own romance by marrying

the young officer (now known as the Duke of Riansares) who had charmed her early widowhood. In the meantime the long obnoxious corporations were changed; the National Guard was disarmed and put down; and a law, obliging the Queen to seek the consent of the Cortes to the husband she might select, was abolished.

The epoch had thus arrived for resuming and accomplishing those plans which had been so long in germ; and for consummating such marriages for Queen Isabella and her sister, as should promise to perpetuate both the interests of France in Spain, and the influence of the *Moderados* over Spanish affairs. Difficulties for a time arose with respect to the manner in which this project could be perfected. But, finally, Queen Isabella was united to her cousin Don Francisco de Asis, Duke of Cadiz,—eldest son of Don Francisco de Paula, King Ferdinand's younger brother, and of Doña Carlota, Queen Christina's sister; whilst the Infanta Doña Fernanda was married to the Duke of Montpensier, King Louis Philippe's youngest child;—these marriages taking place at the same time in violation of a pledge which the Government of France had given to the English Government, to the effect that Doña Fernanda should not be married to a French prince until the Queen her sister had issue. This event caused the greater sensation, in consequence of certain reports concerning the improbability of the young queen* having children in the connexion she had formed, and the possibility of their legitimacy being disputed if she had: under either of which circumstances, the Spanish crown seemed likely to come directly to King Louis

* It is not often that the interior of royal palaces are so fully revealed to the eyes of contemporaries, as in the case of these marriages, by the publication in the *Revue Retrospective* of a part of the correspondence between the Queen Mother, Louis Philippe, M. Guizot, and M. Bresson. The obstacles in the way of the *combinaison Bourbon* were all but insurmountable: a *profonde antipathie* on the part of Queen Christina *pour tout ce qui vient de sa sœur*: and on the part of Queen Isabella, *un éloignement aussi prononcé pour le Duc de Cadiz*. Count Bresson's letter to M. Guizot (12th July, 1846) presents a striking picture of some of the circumstances attending this transaction:—‘La bouderie, la menace, and la rudesse avaient produit ‘leur effet. Je rentrais avec plaisir dans mon caractère,’ &c. The Queen Mother, he informs M. Guizot, objected against the Due de Cadiz, ‘qu'il était douteux qu'il fût homme: me parlant de la voix, ‘des hanches, de la conformation du pretendant:’ and she added that she encountered in her daughter ‘des préventions d'une vivacité et ‘d'une énergie, qui semblent ne faire qu'augmenter.’

Philippe's grandchild, as it had formerly gone to the grandson of Louis XIV.

The English Government manifested much indignation ; and after stating its objections, on various grounds, to the marriages themselves, protested against any child of the Duke of Montpensier ever becoming sovereign of Spain, on the ground that by the treaty of Utrecht any descendant of the Orleans family was excluded from such a position. This protest was the more important, since it pledged England, for many years, to a particular course of policy, which, nevertheless, had eventually to be decided in Spain and by Spanish parties. Now, the great bulk of the *Moderado* party had promoted the alliances to which Great Britain objected, and had pledged themselves to support the line of succession which Great Britain was committed to oppose ; whilst the great bulk of the *Progresistas*, on the contrary, had objected to the alliances which the English Government had objected to, and stood opposed to that line of succession against which the English Government had protested.

Here then was not merely the renewal or continuance of the old divisions between the *Progresista*, as the English party, and the *Moderado* as the French one, but a really politic and almost absolute reason for keeping up these unhappy divisions.

Such a result ought to have caused serious disquietude to those by whom it had been achieved ; but in reality they considered it a triumph, and were thus celebrating it (for a few troubles, which had for a moment disturbed the royal household at Madrid, had just then passed over), when, — during the full height of their confidence in the perpetuity of the colossal power of King Louis Philippe, under whose shadow they had pitched their own fortunes, — arrived the intelligence of the total overthrow of that able prince, and the flight of himself and all his family to England.

It is impossible to conceive any circumstance more startling to Spain, than the sudden and apparently easy revolution which had occurred in the neighbouring kingdom. That revolution was universally attributed to two causes. First, to the recent policy of the French Government abroad ; which, by severing the relations of amity between Great Britain and France, had led the cabinet of Louis Philippe into alliances uncongenial with the sentiments of the French nation : Next, to the fallacious idea practically adopted by that cabinet — we mean the idea, that a representative government could go on without much reference to public opinion, if it could only, under constitutional forms, acquire a majority (it did not matter by what means) in the Elective Assembly. Now the foreign and home policy of

France and Spain had lately been precisely the same in these two particulars. The natural supposition, therefore, at once was,—that some prompt and decided change must take place in the councils of Her Catholic Majesty; or, that ere long the throne of Queen Isabella would be upset by some shock similar to that which had overturned the throne, apparently so much more powerful, of her mighty neighbour and ally.

This was so much the general conviction in Spain itself, that all parties there seemed at first inclined to prevent violent results by prudent and moderate courses. The Government, requesting extraordinary powers from the Cortes, declared that that body should be kept sitting, in order to judge of the manner in which these powers ought to be exercised. The opposition leaders, on their part, believing that by the natural current of events they should shortly come into power, deprecated revolution and violence above all things, as likely to carry matters beyond the point at which men of reputation could engage in them.

All of a sudden, however, affairs put on an entirely new aspect. General Narváez appeared one morning in full uniform before the Legislative Assemblies, and declared them to be prorogued;—in spite of the promise recently given, and without assigning any cause for such a violation of so solemn an engagement. The consequence was clear. On the 26th of March (the Cortes had been prorogued on the 22d) an insurrection broke out at Madrid. The Minister of the Interior described it as, ‘a disturbance occasioned by groups, few in number, and of the lowest class, and vagabonds.’* But no sooner had tranquillity been restored, than arrests of all kinds took place. Two of the most eminent of the opposition leaders in the Cortes, Señores Olozaga and Escosura, were seized, imprisoned, and finally sent off to Cadiz, to be there embarked for transportation to the Philippines. They were never tried nor sentenced, nor even accused of any particular crime; nearly all men of mark in the same party underwent somewhat similar treatment. The Spanish Government has since avowed and justified its conduct,—on the ground, that a government has on these occasions the right to deport beyond the seas not merely the guilty or even those suspected of being guilty of revolutionary designs, but those whom it knows to be entirely innocent of all intentions or wish to promote disturbance, in case their popularity or importance should make it convenient to get them out

* See Parliamentary Papers. Extract from a circular by the Minister of the Interior to the political chiefs.

of the way.* It had, in fact, come to the resolution to remain in power at all events ; it thought that force alone could preserve it there ; and foree, therefore, it determined unscrupulously to employ.

But, whilst General Narvaez had come to this determination, — which we do not mean to criticise too harshly, since, after all, it was perhaps the natural one for a Spanish General and politician : — Lord Palmerston, on the other hand, — prompted by the feelings and views which were more likely to occur to a British statesman, — instructed the British minister at the court of Madrid earnestly to recommend to the Government of Spain another system of conduct ; namely, that it should attempt to increase its strength by the adoption of popular measures, and by so acquiring the confidence of popular men, — at the same time, refraining most cautiously from any course of violence which must require an army to support it. Sir Henry Bulwer had to fulfil these instructions ; and he endeavoured to do so in the first instance by verbal admonitions. He soon, however, found, not only that these were disregarded, but that, according to a custom common enough both in Old Spain and New, he was looked upon as a personal enemy by those to whom the counsel which he was ordered to give was displeasing.

In the mean time the aspect of affairs grew darker : it seemed probable that the adherents of Don Carlos would again take up arms, and there were also symptoms which indicated the possibility of a military ‘pronunciamento’ at Madrid. In either case the British Minister for Foreign Affairs was sure to be asked, what instructions he had sent to the British representative in Spain. Those instructions were upon record. It was natural, therefore, that the agent to whom they had been confided, and who was obliged as a matter of duty to obey them, should also feel anxious to have some record of his having done so. Under these circumstances, Sir H. Bulwer wrote a note in the spirit of the advice he had already given verbally. But a note of this kind might either be received as emanating solely from his own views, or might be condemned as containing a little more or a little less than was conformable with the injunctions that had been laid upon the writer. Consequently, and as a proof that he did not speak merely from his own authority, or say more than he was precisely told to say, Sir H. Bulwer enclosed a copy of that dispatch to himself which contained the views of the British Government. That he had not mistaken the probability that the

* See discussions in the Cortes and speech of Mr. Bravo Murillo, in January, 1849.

adherents of Don Carlos would again take up arms, was ere long made manifest by a rising of the Carlist faction; that he had not exaggerated the danger which existed in placing an implicit reliance on the soldiery at Madrid, was manifested by a military insurrection which also took place in that capital; that he had not done more than act in strict conformity with the orders of his own Government, was established both by the inclosure he had transmitted to the Spanish Government and by the instant approval which Lord Palmerston gave to his conduct, with orders to communicate that approval to the Duke of Sotomayor.

These facts would have made the real nature of the case sufficiently clear in most countries. But Spain is still the country which justifies M. de Talleyrand's declaration, that two and two make five in it; and accordingly the whole weight of the Spanish Government's displeasure fell, not upon the Government of which Sir Henry Bulwer was the agent, but upon Sir Henry Bulwer himself; who, after being held up for some little time in the official press as a sort of omnipotence of civil, was finally dismissed from the Spanish capital on the ground that his life was in danger. To this pretext there was subsequently added a variety of charges, either setting forth no offence at all, or setting forth offences—such as giving large sums of money and employing British vessels of war to promote insurrection—which, if we can suppose such an improbability as that they could have been perpetrated at all, must have been so with the clear cognisance and express orders of the whole British Cabinet, with which, notwithstanding, the Spanish Government never openly declared itself affronted. The whole of these proceedings strike us as being something like the behaviour of an individual who, having had his head broken by a severe drubbing, should bring an action against the stick which belaboured him, instead of against the gentleman who had employed it. At all events, the violent animosity manifested towards a public servant, who had executed a trust to the satisfaction of the head of his department, must be considered entirely irrelevant to the real questions, which the anger excited by his recommendations had brought prominently before the public, and with which, after all, the public is principally concerned.

These questions in our opinion are,—1st. What was the policy of the British Government in giving these recommendations, and was it justifiable? 2ndly. What was the policy of the Spanish Government in manifesting such resentment at the recommendations, and whence its motives?

With respect to the first question, it might be sufficient to say, that the British Government,—having a deep interest

in the welfare of Spain and the preservation of the Spanish Crown, for which it had made great sacrifices,—was perfectly justified in tendering any advice to the Spanish Government, which it did not seek to impose, and which nine Englishmen out of ten would have given at the time. But we are not willing to let the case rest here. We admit that the particular advice tendered on this occasion embodied a general policy, which as a whole may be attacked, and ought as a whole to be defended.

It will be remembered that the *Progresista*, or Liberal party, from the time of the revolution at La Granja up to the fall of Espartero, had been by the force of circumstances more or less connected with England, and that the *Moderado*, or Conservative party, had on the other side been more or less connected with France. We must recollect also, that this species of indefinite alliance had been renewed at the time of the Spanish marriages more distinctly and permanently than ever by an act of France and the *Moderado* party;—in opposition to what England considered the obligations of a treaty, and in opposition to what the *Progresistas* considered the natural interests of their country. In this position the recent revolution in France, of February, 1848, found affairs. A variety of persons, who admitted the impossibility of avoiding the political and party combinations which events had produced prior to this great catastrophe, were of opinion that, in consequence of that catastrophe, such combinations ought to have been at once revised.

'That the Throne of Spain should not descend to a grandson of Louis Philippe was,' they said, 'of great importance to Great Britain, when the Orleans Family occupied the French throne; a British statesman was right at that time in maintaining a certain hold over a party in Spain which was opposed to so close a connexion between the French and Spanish Monarchies: but the Prince, who was lately King of the French, was at that moment,' they added, 'an exile at Claremont; England had no longer any thing to fear from the influence of the French Monarchy in Spain, it had rather to apprehend the overthrow of the Spanish Monarchy by republican doctrines. In such a state of things,' they continued, 'the British Government should have deserted its late colleagues—the Spanish Liberals; and have united closely and firmly with its late adversaries—the Spanish Conservatives.' But if, in one point of view, there is some plausibility in this course of reasoning, it is, on the other hand, to be considered, whether a sudden rupture with the Liberal party in Spain, at a time when it was contending for the principles of constitutional monarchy, and a sudden connexion at that instant

with the Conservative party, which was then pursuing extreme and despotic measures, could have been made suitable to the consistent character of England as a nation ; and also, whether such a course could have offered any sound political ground for the conclusion, that the English Government, in adopting it, would have been adopting the best means for countering French influence or Republican opinions.

Besides, it should be borne in mind that, at the period to which we are alluding, it seemed pretty certain, either that Monarchy would be speedily re-established in France under a prince of the House of Orleans, or that its new Republic would become consolidated. In the one case, was it not clear that any temporary alliance which England might have formed with the Orleans party in the Spanish peninsula, would have been speedily dissolved,—that that party would have reverted almost immediately to its old patrons, — and that all that England would have gained by her short connexion with men whom she could not attach to her, would have been the utter alienation of others upon whom she might previously have counted ? On the other hand, in case the Republic should maintain itself in France, would not the Spanish Liberals, naturally disgusted with England for having abandoned them, have sought the support of France ? Would not the very reason, that we had united with their opponents in order to save the Monarchy, have made them desirous to unite with their neighbours in order to establish a Republic?—whilst the Republican Government in France would itself have had a direct political motive for carrying its institutions across the Pyrenees in order to carry there its influence. Thus that very alteration in its policy which the British Government, it has been thought, should have adopted, with the view of checking the overflow of Republican ideas, and preventing the possibility of a Spanish Republic, would probably have conduced to the one mischief, and might very possibly have produced the other.

These questions, however, open out into far wider considerations when we turn back, and look abroad at the confused and gloomy prospect which, in March, 1848, a British statesman had the anxious task of watching.

In the ~~depths~~ of that capital, beneath whose brilliant surface lie those dark and mysterious caverns, out of which break ever and anon fitful tempests of bewildered thought and misdirected passion, to sweep over the rest of Europe, there were, at this precise moment, two factions in power contending over a prostrate throne for the supremacy of their opinions. The one had adopted a Republic in order to prevent anarchy ; the other was willing to promote anarchy in order to preserve a Re-

public. The first desired to modify old customs and notions into new forms: they were for maintaining peace at home and abroad, and not altering their policy towards other States merely because such States were Monarchies. The second desired to break up and destroy the ancient castes of society, and mould it altogether into strange and fantastic shapes. The apostles of their doctrines desired to spread them with the book and the sword. Governments which stood 'upon the old ways' were in their eyes natural enemies. Their argument was, 'To us who have 'destroyed a throne all kings must be hostile: it is ridiculous in us, therefore, to look upon kings otherwise than as our foes.' If any thing was of more grave importance than another at such a crisis, it was to check the force of these enthusiasts by disproving such statements. With this view the British ambassador remained at Paris, after the sovereign to whom he was accredited had left it. With this view it was necessary that our policy at Madrid, where it was sure to be especially watched, should be as much as possible the same after the expulsion of the House of Orleans as it had been previously.

It does not, however, follow, because England could not connect herself closely and intimately with General Narvaez, that she was to adopt invidious and unlawful means to overthrow him. The course of the English Government was rather to wait on events; by maintaining friendly relations with it, to keep the Liberal party from becoming French and Republican; by prudent and moderate counsels to it, to keep the Conservative party from driving their opponents to extremes; and to favour, in any legitimate manner that occurred, the formation of such a cabinet as would be neither Orleanist nor Republican. It was, moreover, clear that the more violent the course which the Conservative party adopted in its defence, the more distinctly it was necessary for Great Britain to separate herself from the apparent sanction of such violence. The instructions which Sir Henry Bulwer received, and the conduct which he followed, are, we think, as clearly justified by the foregoing explanation as the limits of this sketch allow.

But if such were the line, which it was wise and politic for the English Government to pursue in Spain under the particular circumstances in which it found itself placed, there were motives, not wholly invisible, we think, though perhaps not at first sight likely to attract attention, for the course adopted by the Spanish Government. A glance at them may render their course less marvellous and unintelligible than it would otherwise appear. The Spanish Government had in no degree loosened its connexion with the House of Orleans in consequence of late events. On

the contrary, it had immediately invited the Duke and Duchess of Montpensier into Spain; and had a firm and not irrational belief that the regency of the Duchess of Orleans would soon replace in France a republic which looked rather like the effect of accident and surprise than of design or public opinion. Its first object, consequently, was to maintain its actual condition by all means and at all hazards, during the brief interval which it thought must elapse previous to the proclamation of the Comte de Paris. It was not sufficient for it to maintain Queen Isabella on the Spanish throne; it was also necessary to maintain its own position as Queen Isabella's ministry, in order to guarantee the security of the Duchess of Montpensier's succession.

Under these circumstances, the Spanish Ministry was naturally suspicious of the part that England might play towards it. In its eyes there was no medium between having the English Government as an open and unscrupulous friend, sanctioning and supporting all its measures; or having it as a secret and politic enemy, which, under the plea of disapproving its policy, would in some way or other get it out of power. In this latter case, to remove from Madrid a British representative, who, from his intimate acquaintance with its public men and parties exercised considerable influence, was one of those adventurous throws in the Game of Fortune which suited the Spanish character, and was agreeable to its two dominant passions — revenge and ambition. One cause for hesitation alone existed, — namely, the question whether the danger, which would be thus provoked, was not too great to be voluntarily run for the occasion.

It appears from parliamentary documents and Spanish newspapers, that this hesitation was removed in part by certain articles in the English journals, and certain speeches in the British Parliament. What remained of it dictated both the diplomatic assurance, — that the offence given was meant to be no offence at all, — and, also, the mission of Count Mirasol to London. Proceeding in no official character, and having no official instructions, the Count was in a situation which enabled him to say whatever he deemed most appropriate to the circumstances; and enabled the Spanish Government at the same time to deny his authority for any thing he might say, which it should deem either impolitic or inconvenient to acknowledge. The conduct now ventured on was, no doubt, exceedingly unjust and violent towards an individual, and exceedingly irregular and disrespectful towards a government. But such injustice and irregularity are to be covered up in Mr. Ford's ample cloak of '*cosas de España.*' The stroke struck was a stroke of party

policy, rude and daring in the extreme, but which, we must admit, for the time and purpose, proved eminently successful.

When Sir Henry Bulwer crossed the Spanish frontier, the situation of Spain fully justified the apprehensions he had expressed concerning it: and from that moment became apparent the Spanish characteristic which is so shrewdly set forth, as far back as in one of Lord Stanhope's pithy dispatches. 'Spaniards will never do for themselves what they think others will do for them.' 'Why,' said those Spaniards who had been before disposed to take a decided part against the actual Minister, 'Why should we do at our own risk and peril what the English Government will now soon do for us?' and, again, as soon as these persons found that the English Government did nothing, then this inaction on the part of England threw complete discouragement over their own hopes and plans. If the British fleet had appeared in a hostile attitude at Cadiz, '*Abajo el despotismo*', '*Vivan los Ingleses*', would probably have resounded from one end of the Spanish peninsula to the other; but as the British fleet showed no symptoms which were not entirely pacific, and the English Government quietly dismissed M. Isturitz without doing any thing more, the ideas of the Spanish people underwent a complete revulsion; and, instead of believing that the Government of Great Britain felt itself so strong that it did not think it necessary to put forth its force, they very confidently concluded that their own Government was so strong that the British Government did not dare to attack it.

General Narvaez was not a person to lose the advantages to be acquired from this impression: his energy and capacity grew with the dangers amidst which he found himself; and,—although, notwithstanding the terror which he now universally inspired, a formidable Carlist insurrection did break out, and a variety of other manifestations of dissatisfaction perpetually required his vigour and vigilance to suppress them,—he was eventually able to justify, to a large body of his countrymen, the course he had pursued by the success which had attended it. We cannot regret this, since, in the desperate position into which he had brought affairs, the failure of his policy would probably have been the overthrow of the Spanish throne; and a reign of confusion and disorder is even worse in our eyes than a reign of despotism. But we rather apprehend that the events we have been describing have somewhat tended to generate two suppositions: the one, that England may be insulted with impunity; the other, that the safety of a government in extreme peril is to be found in extreme violence.

The first supposition, if it really exist, the Government and

people of England will, we doubt not, should the necessity arise, speedily disprove; the second will as assuredly disprove itself. There are no general laws that can take in all exceptions: there is no situation in which a man of strong will and great ability may not for a while triumph, in spite of principles which, in their multiplied experience would show that he ought not to have succeeded. The Duke of Valencia (General Narvaez) has in excess those faults and qualities which predominate in the Spanish character; and he has consequently a powerful control over his countrymen, and has succeeded to an extraordinary degree, in dazzling their imagination and exciting their fear. But such men as General Narvaez are by no means of common occurrence; and even in his case we are to bear in mind the saying of the Greek sage to the King of Lydia: 'It is necessary to see how you end, in order to judge whether you have been fortunate.'

It appears to us, we confess, impossible to continue for an unlimited time to govern Spain by a large military force; — yet without a force of that description, it appears to us equally impossible for General Narvaez to maintain the system he has established. The next questions which arise will be what is to become of General Narvaez without his army? or of General Narvaez's system without himself? Violence is always an easy mode of obtaining momentary tranquillity; but wise men apprehend that in the ultimate effects of the reciprocal action and reaction by which men are swayed and governments conducted, momentary tranquillity may be injudiciously obtained through means which promote permanent disturbance.

Already, we think we see in the different accounts which reach us from that political kaleidoscope which the 'Times' correspondent from Madrid holds up to our eyes, signs and symptoms of a new shaking of the many-coloured glass; nor will such an event surprise us, — though we do not believe that any change will, at this time, throw the variegated materials presented to our view into any durable shape, or be more than a temporary mutation of persons. Politics in Spain, however, are and will be, for some years at least, very much the politics of persons; and this reflection leads us to pause over the passing page for a moment, and endeavour to sketch, however hastily and imperfectly, the portrait of that remarkable officer, who fills the last niche in the pantheon which Spain ought some day to build to the men who are always startling the world beyond the Pyrenees by their rapid rise, and brief but unlimited and ostentatious power.

: It would be unjust to paint General Narvaez as a mere

soldier, conscious of no other power but brute force, or as a mere tyrant, actuated by no other sentiment but remorseless ambition. In moments of action, it is true, he shows no pity, no scruples; he tramples over every thing and every body that stand athwart his path. But his mind is a passionate, not a vindictive one; and he as readily forgives a foe whom he has vanquished, as he unscrupulously shoots an enemy who is still capable of resisting him. With the utmost ardour of a fiery and impetuous nature, he has none of the small envy of a subordinate one. He claims the first place for himself above all competitors, but he is generally ready to accord the second, without jealousy or scruple, to the most deserving. To his followers he is unbounded in his favour and support; towards his opponents, if he deems them formidable, he is equally unbounded in his enmity. Though inclined to a military tyranny by the vehemence of his temper and the habits of his life, he is not so by theory: on the contrary, his first notions of politics were imbibed in the camp of Mina. Nor is this all: the natural eloquence which he inherits inclines him (as it formerly did Wentworth, Earl of Strafford), to the parliamentary form of government, in which his address in debate and his powerful appeals to the passions in a lofty strain of oratory, have often been remarkable.

We have only to add, that the use he made of the victory which he achieved in 1848 at once over Progresistas and Carlists was conformable to this delineation of his character. He restored the constitutional government which he had previously suspended, and granted shortly afterwards, in spite of some of his colleagues, a free pardon to all political offenders. In the case of some this was generosity;—to others it was less than justice. But perhaps it is of more rare occurrence and shows more loftiness of spirit, to pardon those whom we have wronged than to pardon those who have wronged us. There can be no doubt but that the conduct of Lord Palmerston had a tardy influence on the course which General Narvaez thus pursued; and that the desire to stand well with England and public opinion in England, was present to his mind. But we also believe that the natural bias of his character would have led him, to show grace to discomfited opponents when the struggle for dominion was once over; and to prefer a constitutional form of government to a mere military tyranny, as soon as he shall have thought that the former could be managed with very little more difficulty than the latter.

Previous to this period we should have been sorry to see any reconciliation between the two governments. In a military despot, ruling by the sword and caring for nothing but the

sword, who had driven some of the most conspicuous patriots of his country into banishment, and who sought to maintain his power by despotism without reference to justice, there was nothing more attractive at Madrid than Buenos Ayres. But with a man who had shown the courage to lay aside this terrible character, and to acknowledge the benefits of a milder system, we could be well disposed to treat. No sooner, therefore, had General Narvaez adopted the conduct which we have just described, than we were sincerely desirous that he should make such advances towards Great Britain as would enable her, without any sacrifice of honour, to accept the olive branch.

The Government of Spain did make such advances; and it chose judiciously, as the channel of its communications, the King of the Belgians. From his Majesty's connexion with our court, and the general credit attached in Europe to his wisdom, moderation, and justice, he was on all grounds the fittest mediator who could have been selected. The result of the negotiation was the expression, on the part of the Spanish Government, of an earnest desire to resume its ancient relations of amity with that of England, and an offer to receive at Madrid any minister whom the British Government might please to send there. In the correspondence laid before Parliament, Lord Palmerston also expressed a desire to cultivate amicable relations with the Government of Spain; and accepted as satisfactory the declaration that that Government was willing to receive *any* minister at its court, whom her Majesty might be disposed to send there. In justice to Sir Henry Bulwer, Lord Palmerston then stated that that gentleman would have been the person best calculated to represent her Majesty at Madrid; but that since he was already at another important post, Lord Ilowden would be named as his successor.

We are not disposed, under the circumstances, to be over critical respecting the terms and form of this arrangement. No decided steps having been taken by the British Government in 1848, and a Constitutional Government having since been restored at Madrid, there was no excuse, either national or personal, for keeping open a quarrel after a fair opportunity for concluding it was offered: while the offer, on the part of Spain, to receive any minister whom Great Britain might send, and the expressions used by Lord Palmerston with respect to Sir Henry Bulwer in reply, appear sufficient to cover the honour of the British Government and the honour of the British agent. Anything less than this would have been insufficient,—anything more was not absolutely necessary, — and it only remains for us to say that we cordially and sincerely hope that the reconciliation which

has put an end to this diplomatic misunderstanding, will be a firm and a sincere one, and outlast the scandal both of unpaid Spanish Bonds and of differential duties on British ships.

Indeed, one circumstance has tended to cement the relations between Great Britain and Spain since 1848 ; this is the peculiar position of Cuba : whilst another circumstance has equally tended to remove the principal cause for difference between the British Government and the *Moderado* party : we mean the probability, never before acknowledged, of Queen Isabella having children. Thus the future opens with new prospects ; and as for the past, except as an amusing narrative of strange events, we can afford to forget it. It would be ungrateful to regard with logical severity the actions of a people of poets, who still keep up a sort of link between real life and the drama ; and who, by carrying us at moments back to the most interesting period of Italian story, allow us to comprehend the compound of Machiavel and Ariosto.

Our article was thus far completed, when an event, of which a foreboding had for some time haunted us, broke forth, awaking and bewildering those who had fallen into a sonnolent belief that the chapter of Spanish accidents had at last closed. We speak of the telegraphic despatch, suddenly announcing that General Narvacz had arrived in France. To all appearance a voluntary exile, he has laid down his power, like Sylla ; but has not ventured, like Sylla, to remain a private citizen among his countrymen.

As a soldier of great energy and will, he had been selected by a timid Court, in a moment of danger, to save it from popular concessions by any and every means which could be placed at his disposal. He established, therefore, naturally a dictatorship, and gave to this dictatorship the character best suited to his own qualities and individual character. Such a dictatorship was certain, in the end, to be too costly and overbearing for the Spanish nation ; and was certain, also, before very long, to be grating and disagreeable to the Spanish Court. For, the first was sure to dislike its master as a tyrant, and the second was equally sure to dislike its protector for not being a sycophant. General Narvacz's situation thus became, when it seemed most enviable, most intolerable : the parliament, which he had reconstituted but not destroyed, could not be restrained from perplexing him with retrenchments ; the sovereign, whom he had governed but not gained, kept pricking him with slights. His party, under the influence of his sway, had acquired an overwhelming majority in the Chambers ; true : the country, under the terror of his

power, had sunk into submissive repose ; true : but these, which were the triumphs of his policy, brought about the downfall of himself. His adherents lost their principal reason for blind obedience, from the moment their enemies no longer excited their alarm. Such is usually the circle in which vicious means of success bring round misfortune upon their authors. We can conceive the irritated feelings of the conqueror of Espartero ; of the expeller of Sir H. Bulwer ; of that violent man who, when it towered for awhile above contradiction, thought his authority established on a rock : we can easily conceive his feelings, whilst teased to retain office by those who were in reality desirous to strip him of power ; such a position he could bear no longer — *abiit, excessit, evasit, erupit.*

Oh ! for the vanity of human wishes ! He, who had destroyed every foe in the path to his elevation, is reported (and, for the purpose of our moral, it matters little whether the report was true or false,—since it was so probable as to be believed) to have at last declared that he would sooner put a pistol to his brains, than keep for one hour longer the rewards of his ambition !

We do not, however, feel assured as yet, either that the new performance, announced with a change of decoration, is even at its third act ; or that General Narvacz—if Providence preserves his life for a few years, perhaps but a few months, longer—will be found to have retired permanently from the Spanish stage. Such, too, we perceive, is the expectation of his friends, to judge by a recent panegyric on him in the *Revue des deux Mondes*. In the first, apparently, of a series of articles on ‘The Military Statesmen of the European Revolution,’ the predominance of armies over us unfortunate civilians is made a supposed necessity in the present state of Europe, and General Narvaez takes the lead among our future masters. He is characterised as a Casimir Perier on horseback, and as having saved Spain by keeping its Conservative party together through his immense authority. His recent fall is attributed to umbrage taken at him by the Queen Mother, and to a military opposition in the senate, which, though not consisting at present of above twenty votes, the countenance of the Queen Mother might make more formidable. But, independently of these changes, it is suggested, that the time was come when he must have strengthened his government by useful accessions, and by moral reforms as well as material. This admission shows what had been the nature of his past administration. At the same time, should the unity of the Conservative party be broken up, and the *Progresistas* be again *aux portes du pouvoir*, Narvaez is still looked up to, to again become *l'homme nécessaire*, as in 1848,—*le plus propre à tenir tête à la contagion révolutionnaire*. Thus a

Progresista administration and a revolution are, in the eyes of the supporters of Narvaez, the same.

We shall not, however, attempt, from our present points of view, to pry further into coming events. Our task will be accomplished, if this rapid sketch of the past serve to make the future, be it what it may, a little more intelligible.

- ART. VII.—1. *Speech of Sir W. Molesworth on Colonial Expenditure and Government*, July 25th, 1848.
2. *Speech of Sir W. Molesworth on Colonial Administration*, June 25th, 1849.
3. *Some Particulars of the Commercial Progress of our Colonial Dependencies*. By J. T. DANSON, Barrister-at-Law. (Read before the Statistical Society, Feb. 19th, 1849.)
4. *The Colonies of England*. By J. A. ROEBUCK, M.P. 1849.
5. *Speech of Lord John Russell on Colonial Policy*, Feb. 8th, 1850.

OUR colonial empire — independent of the vast possessions of the East India Company; independent, also, of the Hudson's Bay Company's territory, and the uncivilised parts of North America — stretches over an area of nearly four million square miles, and includes a population of more than six million souls; of whom two millions and a half are whites, and one million and a half are of British birth or descent. The distribution of these numbers may be seen more minutely in the following table, where our colonies are classed into groups. The figures for Africa do not include our last acquisitions at the Cape, nor on the Gold Coast. The East Indian colonies mean Mauritius and Ceylon. The population is given for 1846, the last year for which we have any accurate returns. Since then, of course, a very considerable increase has taken place, both by immigration and by natural multiplication.

Colonies.	Area in Sq. Miles.	Population of British Descent.	Total Population.	Average annual Imports. 1842—1846.	Average annual Exports. 1842—1846.
North American	486,000	1,100,000	1,995,000	4,847,995	4,188,077
West Indian	85,000	60,000	936,000	4,511,649	5,496,211
African	138,000	20,170	475,000	1,039,139	669,846
East Indian	25,400	6,000	1,680,000	2,259,036	1,648,202
Australian, &c.	3,100,000	300,000	420,000	2,189,982	1,931,132
Total	3,834,400	1,486,170	5,506,000	14,847,801	13,933,468

Now, it is abundantly evident that the question of abandoning or retaining an empire such as this — with a commerce equal to one-fourth that of the mother country, with a population equal to one-fifth that of Great Britain and Ireland, and with an area exceeding ours in the ratio of thirty-two to one — is far too momentous to be disposed of at the fag end of a discussion on our annual budget. It demands a time and place to itself: it deserves to be discussed on its own merits; and to be regarded from a higher and more comprehensive point of view than one of mere retrenchment and economy. It is something more than a point to be settled between Mr. Hume on the one side, and the Chancellor of the Exchequer on the other.

The advocates for cheap government at any cost, with Mr. Cobden and the Financial Reform Association at their head, have resolved upon a reduction of our public expenditure to the amount of ten millions, out of an effective total of twenty-three. The object is one of difficult attainment; and on several recent occasions Mr. Cobden has admitted — and every one will agree with him — that whatever savings may be enforced in various departments, by a closer watchfulness and a stricter control — by a sterner supervision over sanguine experimenters and lavish ship-builders — still, no very material reduction in our chief items of national expenditure — viz., the army, navy, and ordnance — can be effected, so long as we retain our vast and distant colonial empire. He proposes, therefore, to abandon that empire, *as a measure of economy*; and his mode of reasoning is, as it always is, simple, plausible, and bold, — admirably calculated to produce an impression on a nation impatient of misty declamation, anxious for clear views, and priding itself on its common sense. His arguments are entitled to careful examination; and must be met in a manner as downright and straightforward as his own. The nation neither will nor ought to allow itself to be put off from the most searching inquiry by rhetorical flourishes about the vastness of our empire, by a deference to ancestral wisdom, by an appeal to traditional associations and hereditary policy. It is of the last importance that we should clear our minds upon the subject, — should ascertain whether our colonies are valuable, and why they are valuable; what equivalent, in the present or in prospect, they yield as a compensation for their cost; in short, whether we are to retain them, and on what ground that retention is to be defended.

But before entering upon a discussion of this question (which we propose to treat as broadly and concisely as we can, to the neglect of all avoidable details), we must premise that we find a difference in *limine* between our views and those of the Financial

Reformers as regards the paramount importance they assign to a mere curtailed amount of national expenditure. The cry for cheap government has been so pertinaciously raised during the last few years; it is supported by so active and energetic a party of politicians; it finds naturally such a ready welcome in the popular mind; it comprises such an indisputable nucleus of truth, surrounded by such a vast nebula of plausibility—that it requires no ordinary courage to make head against it, or to hint that it may be carried to an injudicious and dangerous excess. Nevertheless, it is unquestionable that cheapness *may be bought too dear*; that retrenchment, on a strictly-regulated and already curtailed expenditure, may be as unwise as retrenchment on a lavish expenditure is just and needful; that rigid frugality in public outlay, though always a duty, may not always be the first or paramount duty of the crisis or the hour; that, in fact, there may be more important objects for our consideration than the saving of one or two millions to a people which so frequently spends fifty millions in some wild speculation, or some gigantic blunder. In public affairs, as in private, there is a true and a false—a genuine and a counterfeit—a short-sighted and a comprehensive—economy. There is an economy which looks only to the price, as well as a profuseness which looks only to the object. There is a spirit of shallow, niggard, and ungenerous parsimony, which looks only at the cost of the public service, and not at the mode in which that service is performed; which would risk or sacrifice great objects in order to save a small expense; which is narrowly mercantile, instead of being broadly imperial; which considers an official salary excessive, if any fairly competent person could be found to undertake the duty for less remuneration; which would put the service of the State on the same footing as the supply of a workhouse, and have it done *by tender*; which would starve departments that, to be efficient, require to be managed with a liberal and, at times, even with an unsparing hand; which, in a word, considers only present saving, and disregards the future outlay and ultimate extravagance which injudicious and untimely saving may entail. And there is a wise, sound, and far-sighted economy—alone deserving of the name—which is profoundly convinced that, in an empire such as ours, the best government is the cheapest, whatever be its money cost; which is conscious that where millions are at stake, thousands must be often disregarded; that expenditure may often be cheaper than saving; that it is both common-sense and enlightened economy for the State to secure the services of its ablest citizens, and to keep every department of the public service in the highest condition

of efficiency, — whatever be the outlay requisite to attain these purposes.

If the great British nation were, like a private individual, possessed only of a fixed limited income, which no exertion could increase, it would then be matter of simple necessity, as well as duty, to proportion our expenditure to that income, whatever the consequences might be. We should be compelled to organise our servants and our establishments on a scale suited to our means — to leave unattained, however important, objects for which we could not pay the necessary price — to incur perils it would be too costly to provide against — to forego the services of those superior talents which we could not afford to remunerate — to sell off any outlying portion of our estates which led us into heavy expenses, and yielded an insufficient present rental. But this is not our case: not only must we obtain at any price those objects, and do at any cost those deeds, and retain by any expenditure those possessions, which involve our national safety, interests, and honour; but we can well afford to do so. It is idle to say — with our enormous national wealth, with our vast annual accumulations, with our working classes spending fifty-four millions yearly in self-imposed taxation for noxious indulgences, with our mercantile and middle classes flinging away millions after millions, first upon delusive mines, then upon unneeded and unpaying railways — that we cannot afford to do anything which the nation deliberately and conscientiously resolves that it ought to do. It is something more than idle of Mr. Cobden, after having been so mainly instrumental in relieving us of fiscal burdens estimated at more than twenty-five millions a year, to pretend that we cannot now endure an expenditure which we did endure when our national wealth was only half its present amount, and when our burdens were twice as heavy. If, then, our colonies are to be abandoned, let it not be on the plea that we cannot afford to maintain or defend them. If it be true that no ties of national interest or obligation bind us to retain them, let them go; but if this be the reverse of truth, let us not be terrified into cutting them adrift from any such insane notion as sometimes takes possession of elderly gentlemen of the most enormous wealth, that we are actually insolvent, and that nothing but the most instant and fanatical retrenchment can save us from the workhouse.

Holding these views, we shall not think it necessary to meet the new school of financial reformers, by endeavouring to prove that the colonies do not cost the mother country as much as is alleged — exaggerated as their estimates often are. We shall point out distinctly the *grounds* on which we regard them as

valuable, and think they ought to be retained. We shall not allow our attention to be diverted from the question as a whole, by any discussion of details, — by disputing as to the specific importance or desirability of our settlements at Labuan, at the Falkland Islands, or on the Gold Coast. Neither shall we take into consideration the value of our purely military dependencies and outposts. The importance of these is a military rather than a strictly imperial question. They are part of the details of our system of defences, and their proper place is in a debate on the Army and Navy Estimates, or in consultations in the departments of the War Office or the Horse Guards. We confine ourselves to our colonies, properly so called, respecting which Mr. Cobden is of opinion that, since the recent systematic change in our commercial policy, they are of no value whatever to Great Britain : — respecting which, however, we hold that this change has only altered the point of view from which we are to form our estimate of their value.

The line of argument we have to meet is lucid, plausible, and attractive. It may be stated thus. In former times, and under the old mercantile system, we valued our colonies as outlets for our manufactures, and as sources of supply for needful products which we could not obtain, or could not obtain so cheaply or so well, elsewhere. We valued them as the principal and the surest channels for that commerce which we felt to be the life-blood of the nation. They were secure, increasing, and favoured markets for those articles of British produce which other nations excluded as far as they could by severe and prohibitory tariffs ; and they produced for us exclusively those valuable raw materials and articles of luxury which we wished to debar other nations from procuring. In conformity with these ideas, we bound them to the mother country in the bands of a strict and mutually favouring system of customs' duties : we compelled them to trade with us exclusively ; to take from us exclusively all the articles with which we could supply them ; and to send to us exclusively all the produce of their soil. In return, we admitted their produce to our markets at lower rates than that of other countries, or excluded the produce of other countries altogether. This was a consistent, intelligible, and mutually fair system. Under it our colonies were *customers who could not escape us, and vendors who could sell to us alone.**

* Bryan Edwards thus describes the system : — 'The leading principle of colonisation in all the maritime States of Europe (Great Britain among the rest) was commercial monopoly. The word "monopoly" in this case admitted a very extensive interpretation. It

But a new system has risen up, not only differing from the old one, but based upon radically opposite notions of commercial policy. We have discovered that under this system our colonies have cost us, in addition to the annual estimate for their civil government and their defence, a sum amounting to many millions a year, in the extra price which we have paid for their produce beyond that at which other countries could have supplied it to us. In obedience to our new and wiser commercial policy, we have abolished all discriminating and protective duties; we have announced to our colonies that we shall no longer favour their productions, and, as a necessary and just corollary, that we shall no longer compel them to favour ours,—that we shall supply ourselves with our sugar, coffee, cotton, and indigo, wherever we can buy them cheapest, and that they are at liberty to follow the same principle in the purchase of their calicoes, silks, and woollens. They are therefore to us now, in a commercial point of view, friendly trading communities, and nothing more. The very object for which we founded, governed, defended, and cherished them, has been abandoned: why, then, should we any longer incur the cost of their maintenance?

Being, then, on the footing of independent States, as far as their tariffs are concerned, they yield us nothing and benefit us in nothing as colonies, that they would not yield us and serve us in, were they altogether independent. Nay, they are even less serviceable to us; for the experience of the United States has shown us how immeasurably faster colonies advance in population, in enterprise, in agriculture, and in commerce — in everything which makes them valuable as customers — when separated

' comprehended the monopoly of supply, the monopoly of colonial produce, and the monopoly of manufacture. By the first, the colonists were prohibited from resorting to foreign markets for the supply of their wants; by the second, they were compelled to bring their chief staple commodities to the mother country alone; and by the third, to bring them to her in a raw or unmanufactured state, that her own manufacturers might secure to themselves all the advantages arising from their further improvement. This latter principle was carried so far in the colonial system of Great Britain, as to induce the late Lord Chatham to declare in Parliament that the British colonists in America had no right to manufacture even a nail or a horseshoe.' — *History of the West Indies*, vol. ii. p. 565.

' The maintenance of this monopoly (says Adam Smith, book iv. c. vii.) has hitherto been the principal, or more properly, perhaps, the sole end and purpose of the dominion which Great Britain assumes over her colonies.'

from the mother country than when still attached to it by the bonds of allegiance and the clumsy fetters of remote and injudicious control. · · Our exports to the United States in 1844, (says Sir W. Molesworth,) ‘equalled our real exports to all our other colonies together.’* Had these States still remained hampered by their connexion with Great Britain, is it possible to imagine that they would have advanced with anything like their actual gigantic strides? Seven years after they had declared their independence, their population was short of 4,000,000. By the last census, sixty years later, it has reached 23,675,000 souls,— all customers for our productions.

In the next place, our colonies used to be regarded as inexhaustible storehouses of waste and fertile land, and as outlets for our dense and often suffering population; and it is in this view, perhaps, that most persons are still disposed especially to value them. But what is the fact? Have we not the plainest indications that even in this respect they would be more valuable if they were independent, and that even now the United States, because independent, are preferred by our emigrants? According to Sir William Molesworth’s statement in 1848, of 1,673,600 persons who had emigrated during the preceding twenty years, 825,564 went *direct* to the United States, and how many more went indirectly through Canada, we can only guess. According to the Appendix to Lord John’s Speech in 1850, out of 787,410 persons who emigrated in 1847-8-9, 525,136 went to the United States. So it is abundantly clear, that as fields for emigration we can have no motives for the continued retention of our colonies.

Again—we used to make some of our colonies serviceable as prisons for our convicts—distant and safe receptacles for the disposal of our metropolitan villainy and filth—places for ‘burying our dead out of our sight.’ Now we can use them as such no longer. Our colonies have one and all remonstrated; have refused to receive the sweepings of our gaols any longer; have threatened to rebel, if we persist in sending them;—and we have ourselves, on more than one occasion, admitted the system to be an indefensible one, and have announced our determination to abandon it.

We have been taught to believe that our colonial empire, ‘on which the sun never sets,’ is about the most important element

* At present, however, this is by no means true. In 1849, the total exports of British produce and manufactures was 58,848,000*l.* of declared value; of which 16,594,000*l.* went to our colonies, and 9,565,000*l.* to the United States.

in our national greatness, and that these vast dominions in every part of the world add incalculably, though in some mysterious way, to our imperial dignity and strength. And such vague declamation as the following is given us in lieu of argument.

' The extent and glory of an empire are solid advantages for all its inhabitants, and especially for those who inhabit its centre. ' Whatever the possession of our colonies may cost us in money, ' the possession is worth more in money than its money cost, ' and infinitely more in other respects. For, by overawing foreign nations and impressing mankind with a prestige of our might, it enables us to keep the peace of the world, which we have no interest in disturbing, as it would enable us to disturb the world if we pleased. The advantage is, that the possession of this immense empire by England, causes the mere name of England to be a real and mighty power; the greatest power that now exists in the world. If we give up our colonies England would cease to be a power; and in order to preserve our independence we should have to spend more than we now do in the business of our defence.* Mr. Cobden and his party argue on the other hand, and with much force, that this ' prestige of empire' is a hollow show, which other nations as well as ourselves are beginning to see through; that outlying dependencies which require to be garrisoned in time of peace and protected in time of war, draft off from this country the forces which are needed for our defence at home; dissipate our army and navy in forty or fifty isolated and distant quarters; and waste the funds which should be devoted to the protection of the mother country. It is idle, they affirm, to pretend that a system which gives us such a vast additional territory to defend without giving us any additional means of defending it, can be other than a source of dangerous weakness; that if we had no dependencies, we should be impregnable and invulnerable at home; and that half our navy and a fourth of our army would suffice for the protection of our hearths and homes. If, indeed, the colonies paid tribute into our treasury, if they furnished contingents to our military force, and supplied a fixed quota of ships and stores toward the augmentation of our navy, — the case might be different. But they do nothing of all this: overtaxed and overburdened England pays for a great part of their civil government, and nearly the whole of their naval and military requirements; the impoverished and struggling peasant of Dorsetshire — the suffering artisan of Lancashire — the wretched needlewoman of London — all have to pay their contribution

* Wakefield's Art of Colonization, p. 98.

to the defence and the civil rule of the comfortable Australian farmer, the wealthy Canadian settler, and the luxurious Jamaica negro. If Sir W. Molesworth's Statistics may be taken as approaching to accuracy, our colonial empire costs us at least 4,000,000*l.* a year — a sum nearly equal to the income-tax — to the malt-tax — to the sugar-tax; — any one of which might be repealed, to the infinite relief of our people, in case our colonies were abandoned.

Lastly, we govern them ill; and, governing them as we do from a distance, and having such an immense number and variety of them to govern, we cannot govern them otherwise than ill. They are perpetual sources of difficulty and dispute; they are always quarrelling with us, and complaining of us, and not unfrequently breaking out into open rebellion; they yearn for independence, and would gladly purchase immunity from our vexatious interference and ignorant control by encountering all the risks and difficulties to which a severance of the Imperial connexion might expose them.— Since, then, the colonies are commercially as free as America or Spain; since they are no longer favoured or enforced customers for our productions; since they would be at least as available to our emigrants if independent as if still subject to our rule; since they refuse to help us by relieving us of our convict population; since they are sources of weakness and not of strength to us in times of peril or of war; since they pay no part of the expenses of the mother country, and only a small portion of their own; since we mismanage their affairs and impede their progress; and since they themselves wish to be set free from a fettering and galling yoke; — what argument, which will bear the test of close investigation, can be adduced to warrant our retaining them in tutelage?

Such is — clearly, concisely, and, we believe, fairly stated — the reasoning we have to meet. Such are the conclusions, deduced to all appearance from the premises by the legitimate process of logic, against which we are to show cause. The position is undoubtedly a strong one: nevertheless, we hold that there are sufficient grounds for maintaining inviolate the connexion actually existing between the colonies and the mother country.

And, first, let us look a little more closely into the question of their actual cost. Sir W. Molesworth's estimate in his speech of July, 1848, is as follows: — He finds the total colonial military expenditure for the year 1843–4 put down at 2,556,919*l.*, and assuming that it has not been much diminished since, he estimates it 2,500,000*l.* per annum. He then, on the ground of the use made of our extensive colonial empire in all debates, as

an argument against any reduction of our navy estimates, assumes that one-third of the ships on foreign stations, or forty-five vessels with 8000 men, may be debited to the colonies, as maintained simply on their account. The cost of these, added to direct rates in the navy estimates, he takes at 1,000,000*l.* The civil expenditure of Great Britain on account of the colonies he puts down at 300,000*l.*, and the extraordinary expenses at 200,000*l.* a-year — making a total of 4,000,000*l.*, which he considers the colonies to cost the mother country in actual outlay.

Now, in this account, we have several things mixed up which have no very legitimate connexion with one another. The military and maritime stations which are maintained in different quarters of the world as dépôts for our forces, as harbours of refuge, as fortresses for the benefit of our troops in case of war, as positions serviceable and necessary for our navy, or for the defence of our general commerce, are clearly not colonies, and ought not to be reckoned as such in the analysis of our expenditure. They are kept up, because we imagine them (whether rightly or foolishly is nothing to the present purpose) important to our Imperial strength and safety as a great maritime and commercial nation, and one of the principal Powers of Europe. We may be wrong in keeping Gibraltar and Malta; but in a discussion as to the cost of our colonies, any allusion to them is obviously out of place. Then our penal settlements — in as far as they are penal settlements — must not be confounded with colonies: the sums which we expend there for the maintenance and safe custody of our convicts, form no part of the cost of our colonies. The Parliamentary Papers very properly class our dependencies under three distinct heads — Plantations and Colonies, properly so called, such as Canada, Western Australia, and the West Indies; Maritime and Military Stations, as Malta, Gibraltar, the Ionian Islands, &c.; and Penal Settlements, as Sydney, Van Diemen's Land, and Bermuda. This last place, however, being partly kept up for military and naval purposes, is classed in the second division, as is also Mauritius, though a productive colony, because in the late war it was found absolutely essential to possess it as a means of protecting our commerce in those seas (prizes to the amount of seven millions having been carried in thither before we seized it), and because it has been deemed necessary to incur considerable expense in repairing and completing its fortifications. Now let us separate the sum, which Sir W. Molesworth lumps under one head, into its proper divisions. The total cost in 1843-4, charged upon the military purse of Great Britain was (throwing out 48,941*l.*

of 'general charges,' which we cannot well appropriate) £2,509,026*l.*, thus:—

Military and maritime stations	-	- £ 952,934
Penal settlements	-	- 189,005
Plantations and colonies proper	-	- 1,367,087
		£2,509,026

The military expenditure for our colonies, then, instead of being as Sir W. Molesworth stated, above two millions and a half, was little more than *one million and a quarter*. But even this sum has since been greatly reduced; for we find by a Parliamentary Paper, bearing date April 27. 1849, that the average annual military expenditure charged to Great Britain on account of our different dependencies, for the five years ending 1847, stood thus:—

Military and maritime stations	-	- £ 831,193
Penal settlements	-	- 134,769
Plantations and colonies proper	-	- 982,508
		£ 1,948,470

The just proportion of our naval expenditure, which should be charged to colonial account, it is impossible to estimate with any precision; because, though we know the number of vessels attendant on our purely military and maritime stations, it is impossible to say what proportion of the force employed on foreign service is required for the protection of our commerce, and what for the defence and supervision of our colonies. With our ships spread over the whole world, even to the remotest corners, with our merchants settled in all parts, constantly claiming the interference and protection of Government, and prompt and vehement in their complaints whenever their representations do not meet with instant attention, a numerous and widely-scattered naval force would still be required, even if our colonies were independent, or abandoned to other alliances. Sir W. Molesworth's estimate — forty-five ships and 8000 men as fairly chargeable to the colonial service — is only a guess, and we can do little more than oppose to it another guess made by Mr. Danson after a careful examination of the reasons adduced by the Committee on Navy Estimates, which sat in 1848, for the naval force employed on each station. Mr. Danson's conclusion is that only fifteen ships and 3200 men properly belong to colonial account. This would reduce the expenditure more than one-half. We are, however, enabled to present our readers with a

return which will give us at least some ground for forming an approximate judgment of the force employed on colonial service, properly so called, as compared with that required for political objects, or for the protection of our general commerce. The pendants flying on foreign stations were in 1850 (exclusive of nine on the packet service) 121 in number, and were thus distributed: —

Colonial quarters of the world : —

East India, China, and Australia	-	-	19	.
Cape of Good Hope	-	-	8	
N. American and West Indies	-	-	13	
			—40	

Non-colonial quarters : —

Mediterranean	-	-	-	-	20
Coast of Africa	-	-	-	-	31
West coast of America	-	-	-	-	11
S.E. coast of America	-	-	-	-	12
Western squadron, Tagus, &c.	-	-	-	-	7
				—81	
					—
				121	

Now, the Cape of Good Hope is generally regarded as much more a military station than a colony proper, and is classed under the former head in the public accounts. Moreover, the vessels reported as on this station include those of Mauritius, and also those employed in the suppression of the slave trade on the eastern coast; so that not more than four vessels with 800 men can be fairly allowed for the colonial demand. So vast a portion of our trade is carried on with China and the East Indies and Australasia *, that, under any circumstances, a large force would be required in those seas, to ensure the safety of our merchant ships, especially as piracy, to a formidable extent, still prevails in the Indian Archipelago. Four of the vessels reported on this station are detached for the use of Australia and New Zealand; and the unsettled state of our relations with China have rendered necessary a great addition to our naval force. Of the nineteen vessels it is very doubtful whether more than six are devoted to strictly colonial service. Our trade to North America and the West Indies, in which quarter thirteen vessels are stationed, amounted, in 1849, to more than one-fourth of our whole foreign commerce; and would still, if our colonial empire were abandoned, require the presence of a considerable force, probably half that at present maintained. From

* In 1849, 11,000,000*l.*, out of a total of 59,000,000*l.* of exports.

this summary it would appear that from sixteen to eighteen vessels, with about 3600 to 4000 men, may fairly be charged to colonial account (in addition to a sum varying from 74,000*l.* in 1843-4, to 82,400*l.* in 1846-7, which appears in our naval estimates for expenditure on shore), in place of the forty-five vessels and 8000 men debited to it by Sir W. Molesworth.

A sum of 200,000*l.* is put down by him for 'extraordinary expenses,' an item we are not prepared to dispute; but when he states our civil expenditure on account of the colonies at 300,000*l.* per annum, he is again in error. The total cost to Great Britain of the Civil Government of *all* her dependencies, had reached its maximum in late years in 1846-7, when it was 492,192*l.*, since which time it has been greatly reduced. In 1850, it was estimated at 441,527*l.* But when we come to analyse this amount, we find it thus apportioned: —

Military and maritime stations	-	- £ 92,780
Penal settlements	-	- 259,804
Plantations and colonies proper	-	- 139,608
<hr/>		
£ 492,292		
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In 1850, the sum chargeable to actual colonies was about 136,000*l.*

We will now bring into one single glance the various items of the actual cost of our colonies, properly so called, compared with the rough estimate of Sir W. Molesworth.

	Sir W. M.'s Estimate.	Actual Cost.
Military expenditure	- £ 2,500,000	£ 982,500
Naval	- 1,000,000	500,000
Civil government	- 300,000	136,000
Extraordinary expenses	- 200,000	200,000
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£ 4,000,000		£ 1,818,500
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The cost, fairly calculated, to Great Britain of her colonial empire, is, then, something less than two millions yearly. There was a time, unquestionably, when it was far greater. In the old days of protection the arguments of those, who are for abandoning our colonies on the score of their costliness, might have been based upon far stronger and more startling facts. At a time when the protective duties on the produce of our sugar colonies alone were calculated to cost us 5,000,000*l.* a year, and those on Canadian timber at least 1,000,000*l.* more, it would have been difficult to maintain that these dependencies did not cost us more than they were worth, and more than we could

easily or wisely pay. But now, when all these objectionable discriminating duties have been abandoned in principle, and when the few remains of them are in rapid process of extinction; when the burden of our colonial empire is reduced to the simple pecuniary outlay of two millions annually; and when the East Indies, the most valuable portion of it in a commercial point of view, not only costs us nothing at all, but actually pays 60,000*l.* annually into our military chest, towards defraying the expense of a larger reserve force than might otherwise be necessary; the time does seem singularly ill chosen for proposing to abandon this empire, on the plea of our inability any longer to endure the burdensome expense. We must, however, do Sir W. Molesworth the justice to admit that this suggestion of abandonment does not proceed from him. His proposal is limited to a reduction of imperial expenditure, on account of the colonies, to a sum of two millions — more, as we have shown, than it actually amounts to: And towards the attainment of this object he makes several useful suggestions, which have received the attention they deserve, and some of which have been partially followed out.

Since, then, there is no foundation for the idea that we need to abandon our colonies from sheer inability to retain them, we may proceed to point out a few of the reasons which may be urged for preserving the connexion inviolate, and which we think will be deemed conclusive by the nation at large, if not by all political parties in it.

In the first place, not a single one of our colonies is inhabited by a homogeneous population. In none, is the British race the sole one; in scarcely any, is it the most numerous. Some of the dependencies have been taken from savage tribes; others have been conquered from other European nations. In Trinidad we have *seven* distinct races; in the Cape colony at least *five*; in Canada *four*; in Mauritius *four*; in Ceylon at least *three*; in Australia and New Zealand *two*. The Australian colonies are the only ones which, from the unimportance of the native savages, we can venture to consider as peopled by a purely British race. In Lower Canada, the French form *five-sevenths* of the population; and taking the whole of our North American provinces together, more than one-fourth of the inhabitants are of French origin or descent. In the West Indian group the ~~whites~~ are only *one in fifteen* of the whole; the remainder are, mainly, recently emancipated slaves, still retaining (as the late visitation of cholera brought painfully into view) much of the ignorance of their African origin, and many of the feelings of

their servile condition. The population of the Cape, in 1847, is stated at 170,000, of whom 72,000 were whites, and of these 52,000 were Duteh; the rest were Caffres, Hottentots, and Negroes. The population of Mauritius was, in 1845, 180,000, of which number (though we have no certain record later than 1827), probably not more than 10,000 at the outside were whites, the remainder being Coolies and Negroes. In Ceylon the estimate for 1847, gave 1,500,000 as the number of the native or immigrant coloured races, chiefly Cingalese, and 5572 as the number of the Whites, some of these being Portuguese, and many being Duteh, from whom we took the island. In New Zealand, the natives, a hardy, intelligent, and noble race, amount, it is calculated, to 120,000, and the inhabitants of European descent to not more than 18,000, at the latest dates.

Now, with what show of decency or justice could England abandon to their own guidance and protection countries peopled by such various, heterogeneous, and often hostile races,—even if any considerable number of their inhabitants were unwise enough to wish it? What inevitable injustice such a step must entail upon one or other section of the colonists, what certain peril to the interests of them all, and of humanity at large! Let us follow out this inquiry in the ease of two or three of them. We will assume that Canada would go on without any serious disturbances, now that the various populations which inhabit it have been so much more amalgamated than before by being pressed together into one legislature. We will suppose that the Australian colonies would be able to stand on their own feet, and to maintain their own interests, and would manifest that marvellous faculty for self-government and social organisation which has always been the proud distinction of the Anglo-Saxon race. We will concede that the settlers in New Zealand would succeed in civilising the wild tribes around them, and would make them friendly fellow-citizens, and useful subjects and auxiliaries; though we should not be without some apprehension as to the result, since with a warlike, shrewd, and energetic people seven to one is fearful odds. But what would be the result in Jamaica, in Mauritius, at the Cape, and in Ceylon, where the Blacks outnumber the Whites in overwhelming proportion, and where the Whites themselves belong to disunited and hostile nations? In Jamaica, and our other West Indian possessions, one of three results would follow,—either the Whites would remain as now, the dominant class, and would use their legislative power for the promotion of their own interests, and for the compression of the subject race;—would induce large immigration, would prohibit squatting, would com-

pel work; would tax the necessaries of life rather than their own property or their own commerce, — perhaps might even strive to restore a modified slavery: or, the Blacks, easily excited, but not easily restrained when once aroused by their demagogues and missionaries, would seize upon the supreme power, either by sudden insurrection, or by gradual and constitutional, but not open force; and in this event few who know the negroes well, who have watched them during the prevalence of cholera in Jamaica, or who have the example of Haiti before their eyes, will doubt that another Haiti would ere long, though not perhaps at once, be the issue of the experiment: or, lastly, the Whites, fearing the second alternative, and finding themselves too feeble to enforce the first, would throw themselves into the arms of the United States, who would, as we are well aware, receive them with a warm welcome and a covetous embrace, and would speedily reconvert 800,000 freemen into slaves. This we think far the most probable alternative of the three. But is there one of the three which any philanthropist, any Briton, any friend to progress and civilisation, could contemplate without grief and dismay? Or is there any fourth issue of the abandonment of these colonies which bears even the shadow of likelihood about it? Whether the Negroes subdued the Whites, and established a black paradise of their own, or the Whites, with the help of the Americans, reduced the Negroes to slavery, the result would be almost equally deplorable. All the hopes which England has nourished of civilising and redeeming the African race must be abandoned, and all the sacrifices she has made so ungrudgingly for this high purpose will have been thrown away. But, apart from this consideration, we have simply *no right* to abandon the Blacks to the possible oppression of the Whites, nor the Whites to the dubious mercies of the Blacks. We cannot do so without a dereliction of duty, amounting to a crime. Towards both races we have incurred the solemn obligations of protection and control; both have acted or suffered under a tacit covenant, which it would be flagrant dishonesty to violate; towards both we have assumed a position which we may not without dishonour abdicate, on the miserable plea that it would be convenient and economical to do so.

In the case of the Cape, where the Dutch outnumber the English colonists in the proportion of *five to two*, and where the coloured races are more numerous than both put together, even if we take no account of the subject tribes recently added to our sway, what would be the result of a separation from Great Britain? — Either the resumption of her old dominion by Hol-

land, or a struggle for superiority between the two white nations, (the Hottentots in the meantime looking on with amazement and contempt;) which, however it might end, would be disgraceful and disastrous, and which, if numbers afford any ground for predicting the result, might probably terminate to the advantage of the Dutch. And no one who has read the early history of that settlement, and the barbarous and habitually oppressive treatment of the natives by that people, would not regard such a catastrophe as a step backwards in civilisation, and an event to be deprecated and averted by every means in our power. An abandonment of this colony by England would be at once a shameful breach of faith to those of our citizens who have gone thither on the strength of the Imperial connexion, and to those native tribes whom we have rescued from the brutality of their former masters. In Ceylon,—where a small nucleus of five thousand Europeans are surrounded by a hostile population of fifteen hundred thousand Orientals, and where a formidable and sanguinary insurrection, only just quelled, has given us an intimation of what may be expected from such a people when worked upon by native priests and foreign demagogues, our responsibilities are equally serious. A desertion of our post as masters must be accompanied by an ample and costly indemnity to those European settlers, whose position, through such a step, would be no longer tenable or safe, and most probably by the loss of the whole or the greater part of a commerce which has now reached an annual amount of one million and a quarter. Instead of abandoning it, Sir W. Molesworth proposes to hand it over to the East India Company.

Colonies with mixed and aboriginal populations such as these, then, we simply *could not* abandon; colonies, with a population exclusively or overpoweringly British, come under a different category. But even with these, we think it is not difficult to see that the interests of civilisation will be far more effectually served by their retention than by their abandonment,—by still maintaining them as integral portions by the British Empire,—than by casting them adrift to run the chances of a hazardous voyage unassisted and alone. They would ‘go ahead’ far faster, we are told, if independent, than if still subject to the hampering rule of the mother country; and the example of the United States is triumphantly appealed to in confirmation of the assertion. We reply, that we can well believe that they would go ahead far faster if free than if fettered, but not than they will now, when colonial legislatures have been created and endowed with the powers of managing all strictly colonial concerns. There is scarcely an advantage, conferrable by freedom, pos-

sessed by the United States since their separation from Britain, that will not now be enjoyed in an equal degree by our North American and our Australian dependencies. Moreover, there are figures on record which appear to show that, vast as has been the progress of the United States, it has been not only equalled but surpassed by the strides forward of our principal colonies in recent years. Between 1790 and 1850 the population of the United States multiplied from four millions to twenty-four, or an increase of 500 per cent. That of Lower Canada multiplied between 1784 and 1848 from 113,000 to 770,000, or 600 per cent., and that of Upper Canada, between 1811 and 1848, from 77,000 to 723,000, or 840 per cent. Between 1830 and 1850, the United States' population increased from 12,866,000 to 23,674,000, or not quite 83 per cent.; that of the two Canadas, between 1831 and 1848, from 746,600 to 1,493,290, or more than 100 per cent.; while the population of the Australian group sprang up from 51,910, in 1826, to 350,000, in 1848, showing an increase of nearly 600 per cent. in twenty-two years. In commerce also the comparison is very favourable. While the commerce of North American and Australian colonies (imports and exports) increased in seventeen years, between 1829 and 1846 *, from 8,150,000*l.* to 14,900,000*l.* yearly, or more than 80 per cent., that of the United States had increased in the same period from \$146,000,000 to \$235,000,000, or 60 per cent.

If, indeed, it were true, as is often ignorantly alleged, that the colonies hated Great Britain, and were anxious to cast off their allegiance to her, much might be urged against the policy of retaining unwilling and therefore troublesome and dangerous dependencies. But, we believe the statement to be the reverse of true. They may hate the Colonial Office: they do not hate England. They are often indignant, and sometimes we think they have been so with justice, at the vexatious interference, the injudicious control, the irritating vacillations, the sad mistakes of the authorities at home; they often bluster and sometimes rebel; they nurture in their bosom, as does every community, a noisy knot of turbulent and disaffected men; they talk largely at times of their desire of independence, and occasionally even forget themselves so far as to hint at 'an-nexation.' But this is the mere effervescence of political excitement. Let us hear the testimony of one who knows the colonies well, whose name is peculiarly associated with them,

* We have not been able to procure complete returns for any earlier or later years.

and whose vehement hostility to the Colonial Office, renders his statement on this point of singular value :—‘ The peculiarity of ‘ colonies,’ he says, ‘ is their attachment to the mother country. ‘ Without having lived in a colony — or at any rate, without ‘ having a really intimate acquaintance with colonies, which only ‘ a very few people in the mother country have or can have — ‘ it is difficult to conceive the intensity of colonial loyalty to ‘ the empire. In the colonies of England, at any rate, the feel- ‘ ing of love towards England, and of pride in belonging to her ‘ empire, is more than a sentiment ; it is a sort of passion which ‘ all the colonists feel, except the Milesian-Irish emigrants. I ‘ have often been unable to help smiling at the exhibition of it. ‘ In what it originates I cannot say, perhaps in a sympathy of ‘ blood or race ; for the present Anglo-Americans (not counting ‘ those Milesian-Americans who pass for belonging to the An- ‘ glo-Saxon race) feel in their hearts’^{co}rc the same kind of love ‘ and respect for England, that we Englishmen at home feel for ‘ the memory of Alfred or Elizabeth : but, whatever may be its ‘ cause, I have no doubt that love of England is the ruling ‘ sentiment of English colonies. Not colonists, let me beg you ‘ to observe, but colonial communities ; for, unfortunately, the ‘ ruling passion of individuals in our colonies is the love of ‘ getting money. How strong the collective love of England ‘ is, how incapable of being ever much diminished by treatment ‘ at the hands of England which is calculated to turn love into ‘ hatred, you will be better able to judge when I shall come to ‘ our system of colonial government. Here I must beg of you ‘ to take my representation in a great measure upon trust. If ‘ it is correct, the fact shows that the possession of dependencies ‘ which are also colonies, conduces to the might, security, and ‘ peace of the empire ; not merely by the prestige of greatness, ‘ as other dependencies do, but also by the national partizanship ‘ for England, of the communities which she plants. To her ‘ own strength there is added that of a large family of devoted ‘ children.’*

We entirely concur in this representation. So strong do we believe this sentiment of pride and attachment to be, and so warmly do we think it is reciprocated by the mother country, that if, in an evil hour, the counsels of the counterfeit economists were to prevail, and England were to resign her children to the vanity and feebleness of independence, we feel certain that the very first peril they encountered from without, the very first time they were menaced either with insult or with conquest by

* Wakefield’s *Art of Colonization*, p. 100.

a foreign Power, they would instinctively and undoubtingly appeal to England for assistance and protection; and England would respond to their confidence with the most prompt and generous aid. It is idle to imagine that Great Britain would stand tamely by to witness the oppression or danger of any of her children, or that politicians who should coldly advise such conduct, would not thereby condemn themselves to future powerlessness and obscurity. The spirit of the nation would ensure her being dragged in as principal into any serious quarrel in which any of her former dependencies might be involved. We should have to bear the expense of defending them from attack, without having any control over their conduct in incurring it.

Finally: there is one other consequence which would ensue from the abandonment of our colonial empire which demands to be most deliberately weighed, — and by none more deliberately than by that section of the free traders who are foremost in recommending so entire a reversal of our old national policy. If we emancipate our colonies, and cast them on their own unaided resources both for self-government and self-defence, they will of course immediately look about them for the means of securing these primary objects. However economically they may manage — however small the salary they may assign their governors — however homely and republican the style of life they may require their officials to adopt — they can neither govern themselves, nor defend themselves, without a considerable revenue. An appeal to the example of the United States has no validity as a reply. The United States are surrounded by no ambitious neighbours; they are liable to no attack from without; they have no wars or quarrels to fear but such as they pertinaciously insist upon bringing upon themselves. They are an aggressive, not a defensive people. In spite of these advantages, we know too that their revenue is large. What their actual expenditure for civil and military purposes actually is we do not know, and shall perhaps never clearly ascertain; inasmuch as before we can come to any conclusion on the matter we must be able to add the expenditure of each State of the Union to that of the Federal Government, which alone is published to the world. Nay, further, we must be able to add the cost of their militia and volunteer forces to the cost of their standing army. Now though we cannot authenticate with any precision all the facts we need, we are not without some disclosures from which much instruction and some startling inferences may be safely drawn. The organised and enrolled militia of the States amounts to the immense force of 2,008,068 men, who cannot be clothed, armed,

trained and drilled, it has been estimated, at a less cost, either to the State or to themselves, than 7,500,000 dollars a year. Then we learn from the last report of the American Secretary to the Treasury that the annual aggregate *federal* expenditure alone reached 21,278,000 dollars before the Mexican war, 41,734,000 dollars while that war lasted, and 38,974,000 on the average of three years since its termination. If we compare this last figure of 8,000,000*l.* with our British budget of 20,000,000*l.*, for the same purposes, and reflect that ours includes the demands of a vast colonial empire, and that theirs *does not include* the outlay of each separate State for State purposes; that their population is short of 24,000,000, and that ours (exclusive of India, which costs us nothing) is 32,000,000; — we shall not be disposed to imagine that even a cheaply managed republic like America can dispense with a large revenue, nor that any of our emancipated colonies — whose very defencelessness would tempt the covetousness and ambition of the whole world — could be more successful in solving such a problem. *How then must their revenue be raised?*

There are three sources from the combination of which it might be derived: the sale of waste lands, direct taxation, or customs duties on imported articles. The first of these sources could never produce much; for in order to attract settlers or purchasers, the price must not materially vary from that current for land of equal quality elsewhere. The price in the United States is a dollar and a quarter an acre; a price even twice as high would go but a very small way in raising a colonial revenue. Direct taxation is always burdensome, irritating, and unwelcome, — the ready and common resort of despotic governments, but invariably avoided, as far as possible, by republican ones, — eschewed by every country generally in proportion to the influence which the people exercise on their financial ministers. In colonies where the population is scanty and scattered, there would arise peculiar and insuperable obstacles in the way of levying a capitation-tax, a land-tax, or an income-tax, — obstacles which will suggest themselves at once to every mind. The source of indirect taxation alone remains; and from this accordingly we should find that the revenue of the emancipated colonies would inevitably be raised. A further option has to be made in the choice between import and export duties; when the former, among a commercially educated people, will obviously be the most popular, and will certainly be adopted.

Now, in a densely populated and luxurious country like England, moderate duties suffice to procure a large revenue; and, as a matter of experience, moderate duties are com-

monly found more productive than high ones, because among thirty millions of people an increase of consumption speedily makes up for a reduction in the rate of charge. But this could not be the case in a thinly peopled colony; a low scale of duties could never raise an ample or adequate revenue; the money must be obtained, and objectionable and burdensome as such a way of obtaining it would be, and would be acknowledged to be, still, as it would be *less* burdensome, less irritating, and more practicable, than any other, it would be adopted as a matter of course. The first effect, then, of our proclaiming the independence of our colonies must inevitably be, the enactment by them of *a high tariff on all imported commodities*; and as the commodities required by new countries are, by the nature of the case, articles of manufactured rather than of agricultural produce, and as England is the chief manufacturing country in the world, it would be chiefly on our productions that this high tariff would press, however unintentional such a result might be, and however, in diplomatic language, it might be 'regretted and deplored.'

The rate of the duties imposed by such a tariff it is in vain to guess; this must depend primarily on the necessities of the State imposing it. If, however, the example of the United States is of any service in helping us to a conjecture, it may be observed that her tariff imposes duties of from 30 to 50 per cent. on all our chief productions, and that a powerful section of her people are clamorous for an augmentation of these rates. We have no reason to suppose that a lower scale would meet the requirements of Canada, Australia, or the Cape. Now, a high tariff is necessarily, *ipso facto*, and without any malicious intention, a *protective* one. Each of our colonies contains a number of artizans, conversant with all the processes of English manufacture, trained in English factories, familiar with the use and construction of English machinery; most of our colonies are rich in raw materials: and it is idle to suppose that a protection of 30 or 50 per cent. will not suggest to the unsleeping enterprise and energy of some of our colonial brethren the idea of manufacturing for themselves the wool or the cotton which they produce, and clothing themselves as well as feeding themselves at home. To many of those expatriated artizans a manufacturing occupation cannot but prove far more congenial than fighting through the difficulties of the untamed wilderness; and an industrial interest is thus certain of springing up,—the result of protection, and requiring, therefore, the continuance of a protective policy in future. Even now there are symptoms how easily such an interest might be excited into being, even in our most

purely agricultural dependencies. It is only a few months since a friend of ours returned from New South Wales clad in woollen pantaloons, grown, spun, woven, and dyed in the colony, of most excellent quality, and furnished to him cheaper than any English tailor would have supplied them.

Now, if Mr. Cobden, after having spent the last ten years of his energetic and useful life in abolishing protective tariffs at home, should wish to spend the next ten years in establishing them in every other corner of the world, and in laying the foundation of a reactionary policy which shall close the markets we ourselves have planted in the wilderness, one after another, to the produce of our spindles and our looms,—we cannot hinder him;—but we should wish him to do it with his eyes open.

We hope we have succeeded in making it clear that our colonies are far too valuable portions of our empire to be lightly laid down or put away; and that if they should not continue to be so, the fault will lie in some sad mismanagement of our own. Many of them, in simple justice to the native population, or to those British subjects who have settled there on the faith of the Imperial connexion, we *could not* possibly abandon. Others the interests of civilisation and humanity compel us to retain. All of them ought to be, and will be if we govern them aright, sources of strength and pride to us. The very interests of that free and enlightened commercial policy for which we have fought so long and sacrificed so much, forbid us to entertain the thought of severing the time-hallowed connexion between Great Britain and the communities which have gone forth from her bosom. Nor is there any call or motive for such a step: the cost of our colonies, though less by one half than it has been represented, we could easily sustain were it twice as great: the affection of the colonists it is easy to preserve, or to recover where, through misjudgment or misunderstanding, it has been shaken or impaired. By ruling them with forbearance, steadiness, and justice; by leading them forward in the path of freedom with an encouraging but cautious hand; by bestowing on them the fullest powers of self-government wherever the infusion of British blood is large enough to warrant such a course; in a word, by following out the line of policy announced and defended by Lord John Russell in his speech on the introduction of the bill for the government of the Australian colonies in February of last year,—we may secure the existence and rivet the cohesion of a vast dominion blest with the wisest, soberest, most beneficial form of liberty which the world has yet enjoyed, and spreading to distant lands and future ages the

highest, most prolific, most expansive development of civilisation which Providence has ever granted to humanity. To abandon these great hopes,—to cast our colonial empire to the winds, with the sole aim of saving two millions a year,—is a line of policy which, we sincerely think, is worthy only of a narrow and a niggard school; which will be counselled only by men who are merchants rather than statesmen, and whose mercantile wisdom even is confined, short-sighted, and unenlightened; one, which, we feel assured, can never be adopted by England till the national spirit which has made her what she is, shall have begun to wane and fade away.

ART. VIII.—1. *Italy in 1848.* By L. MARIOTTI. London: 1851.

2. *Military Events in Italy, 1848-49.* Translated from the German. By the Earl of ELLESMORE. London: 1851.

3. *Scenes from the Life of a Soldier in Active Service.* London: 1850.

IN our last number we gave a sketch of the early fortunes of the Italian struggle, up to the defeat of Charles Albert, and his withdrawal from Lombardy. We left the broken Piedmontese retiring on the Ticino, as Radetsky marched once more into the silent streets of Milan. We resume the thread of the events which followed the capitulation. A formal armistice was concluded; by its terms the troops of the King of Sardinia were to be generally recalled within his own boundaries; vacating, among other places, Parma, Modena, and Venice. The foot of Austria was on Italy once more. The Austrian forces, indeed, which had entered the Legations and attacked Bologna, were withdrawn for the time; and Tuscany preserved from invasion, or at least reprieved, by the mediation of the British minister. But at Modena the Austrians instantly restored the expelled ruler; at Parma they undertook the temporary government in the name of the Duke, through the appropriate substitution of a military detachment; once again ratifying the connexion between foreign domination and petty indigenous tyrannies.

On the very day upon which Radetsky entered Milan, Venice passed under the authority of the Commissioners representing the monarchy of Charles Albert. Four days later the news of the armistice arrived. Utter anarchy now threatened Venice: but in Venice there was a man. To the crowd, without a government, and filling the Place of St. Mark with passionate

and menacing clamours, Manin came forward: he told them that the rule of the Commissioners had ceased; that an Assembly should be summoned within forty-eight hours. ‘In the interval,’ he added, ‘I govern.’ His self-constituted dictatorship was ratified by universal consent; and his ability and courageous energy enabled the city of the Lagoons to add a memorable page to her history. Garibaldi, at the head of a vagrant column of Lombards, Poles, and adventurers of all lands, haunted the shores of Lago Maggiore, and maintained a partisan warfare in the mountains. The flame of insurrection, trampled out in the plain, still burnt on the edges: Italy continued too disturbed to be considered at peace; although as a great national struggle, conducted by regular armies, the war of independence for the present might be said to be over. Mediation was offered for the purpose of effecting a final arrangement which might be beneficial both to Italy and Austria, on something like the basis formerly proposed by the latter Power. But as between herself and Piedmont, Austria was completely victorious. It soon became evident that she appreciated her advantages, and did not mean to resign them except to force of arms. It was not to negotiations that she would now yield any portion of her Lombard provinces. If France or England wished to liberate them, or transfer them to Piedmont, they must first drive out the holders — by war.

Whatever disposition might exist to look with favour on the cause of the Italians, or to regret their failure, neither justice nor policy permitted this alternative. So far as law between nation and nation applied to the case, there was no disputing the right of Austria to take precisely the course which she had taken, and to stand firmly on the ground which she had reconquered. If the views of Austria were now clear, scarcely less clear was the line of conduct on which the Sardinian Government would be sooner or later forced; not so much by well considered views, as by *impulses* external and internal, by the ‘pressure from without’ both in and out of Piedmont. Months before the denunciation of the armistice, the English minister acquainted his government with his deliberate opinion that the ultimate intention of Piedmont was to withdraw herself from the mediation, and resume the war. During the interval, the advice of England was earnestly and repeatedly pressed upon the Sardinian Government not to take the imprudent step of recommencing hostilities: advice of which neither the sincerity nor the friendly motive could be doubted, but such as, nevertheless, belonged too evidently to that class of advice which, in opposition to passion or pressing interest, is *never* taken.

Frequent disputes arose on the terms of the armistice. The Sardinians had not recalled their fleet from Venice; the Austrians had not given up all the cannon at Peschiera: and other questions were still open, of that irritating kind so certain to spring up between future belligerents or litigants when the heart's desire of each is not to accommodate but to quarrel. Of these, it would be waste of time to attempt here to discriminate the merits. Had the negotiations for the pacification of Italy, which were to have been opened at Brussels, ever actually come into formal existence by the meeting of the representatives of the various Powers, the real labour of the assembled diplomatists would not have lain, so far as Austria and Sardinia were concerned, in the conciliation of such questions. It would have been more difficult to find any ground of final agreement, or even of discussion, between two parties, — of which the one was determined to concede nothing, and the other equally determined not to be contented without some concession.

The brave and ill-supported army of Piedmont knew what war with the Austrians was; but so did not the demagogues of the towns. Through all Italy, where Austrian troops did not impose silence, the former cries resounded with increased rather than diminished passion. The defeat of Charles Albert in the field had not told, as it ought, chiefly against the influence of those whose slack support was mainly chargeable with the result. The moderate politicians had lost influence by the failure of the champion of monarchy, and the field was more level than before, for the Republicans to enter in. As month after month went by, and the weight of Radetsky pressed heavier and heavier on Milan,—as the determination of the cabinet of Vienna became more and more pronounced, that there should be no further change with their consent, that the kingdom of Northern Italy was to be put aside as a dream which they had scattered, and that the country from the Friuli mountains to the Ticino should still stand in the map as the ‘REGNO AUSTRIACO LOMBARDO-VENETO,’ — the war party naturally gained strength; and with it the political party most urgent to renew the contest. If nothing was to be gained by peace, why renounce without necessity the chances of war? It was treason to talk of peace with the foreigner: there was one condition of peace, and one only, — that no ‘Tedesco’ should govern south of the Alps. The war was still holy, though the Pope had denounced it, and the king had too readily retired. Let the peoples combine, and do the work which had been relinquished by a traitorous or *fainéant* sovereign. Let a ‘Central Italy’ be created, the nucleus of a new campaign. Let a Constituent Assembly for all the

Italian States secure their independence and perfect their freedom. These and similar exhortations daily resounding at Bologna, at Leghorn, at Rome, and, not least, at Genoa, produced an agitation hostile to peace without producing that earnest resolve and cordial union needed for the success of war.

During the summer and autumn of 1848 the staggering government of Rome had stumbled down a long series of errors and struggles. Our space does not permit us to retrace at length the conflict not only between old and new, but between incompatible powers; the ever-recurring collision of clerical with lay authority; of infallible despotism with parliamentary kingship; of cardinals with a constitution. At this period, says Farini, ‘ Mamiani governed in the name of Pius, who either left him ‘ to act as he liked, or resignedly approved, and afterwards ‘ murmured. The political clergy conspired against Mamiani: ‘ the revolutionists conspired against the Pope.’ And, let us add, each party was an excuse and stimulus to the other. The minister, though deficient neither in ability nor honesty, failed in adequately controlling these extremes. From him, with a short interval, the scarcely possible task passed into a stronger and more ill-fated hand. In Pellegrino Rossi, a man of ability which all acknowledged; of energy which many dreaded and resented; of firm will and unconciliating manners; stood between the feverish excitement of the people and their weak sovereign. His singular and varied career was wanting, not in integrity, but in obvious consistency and unity. A citizen of more than one land, a politician of more than one colour, he had been mainly instrumental, as ambassador of France, in raising to the throne the present Pope; and had thus, in the person of Pius, inaugurated the movement which he was now resisting as minister of Rome. Rossi was certainly not indifferent to that great cause of the independence of Italy for which he had sent his son to fight. We will not say that he had despised of Italy; but his eulogists will scarcely maintain that the cause of the war was now in his eyes the foremost of causes. A minister earnest for the independence of Italy above all things, might have found support in an honest enthusiasm: Rossi seems to have had none, except from that well-meaning and contemptible majority,—the ‘ virtuous men of the plain’ of all revolutions. Having accepted office under the Pope, he felt it to be his duty, in the first place, to govern Rome, and restore some order in the anarchical city: and, under his leading, the Papal Government was struggling to regain its footing, and to stand firmly against the demands made on it. He anticipated violence from the anarchists: and at the same time believed the

opposite party to be conspiring with their adversaries, in the view of pushing on the revolution to self-destructive extremes. His duty and inclination led him to repress both alike. The placemen of the old system, and the 'circoli'-spouters of the new, vied in hatred to the reformer and the repressor. Some obscurity still attaches to the circumstances of his murder; and unfortunately, we cannot yet record that the conspirators have met with the fate of some of the classical tyrannicides, whose example they or their apologists invoked.* Meantime, through the vile applause of many, and through the scarcely less vile acquiescence of almost all, the concerted crime of a few was assumed to themselves by the people of Rome. By a not undeserved consequence, the merits of the actual questions at issue between the Pope and his people became, as far as foreign observers were concerned, darkened and lost sight of in the horror inspired by the blackest act which had stained the Italian revolution. It was not asked whether every day did not practically demonstrate more and more to Romans and to Italians the permanent evils at home, and the paralysing effects in the present crisis for the whole peninsula, of the contradiction enthroned in the Holy City. It was only recollect that the ministry now forced on the Pope had been inaugurated in the murder of Rossi, and extorted by an array on the Quirinal of cannon and troops against a few defenceless priests.

The Pope, at this crisis, neither abdicated nor refused compliance with the demands made upon him. He named the ministry according to the demands of the people; he then called together the diplomatic body and protested to them beforehand against all the acts which might be done by the aforesaid ministry; and within the week he fled from Rome. But not without leaving a short note, characteristic of the man; in which he earnestly recommended both the persons in charge of the pontifical palaces, and the quiet and peace of the city generally, to the protection of the Ministry — of that Ministry against whose every act, and against whose existence even, he intended in a few days to protest publicly, as he had already protested in private. It is impossible not to note that this kindly tempered man, so solicitous for the safety of individuals and for the public tranquillity, is identical with the master whose own selfish act endangered, by suspicion of complicity, the lives of the servants

* 'Benedetta quella mano,— Che il tiranno pugnaldò;' as they sang in their execrable and lying ode of triumph. In truth, the deadliest blow given to Italian liberty was that, which was struck by the accursed hand of the assassin of Rossi.

who might be supposed to have assisted him, and with the ruler whose flight from his duties left the city exposed to anticipated disorders. Once in safety at Gaeta, he denounced the existing Ministry and named a government commission, to which he cannot have expected that obedience should be paid, and the members of which in fact refused to act. What contradiction even at Rome could be well more flagrant, than that a Ruler, who had fled, and had declared himself no longer free to govern, should attempt to govern by proxy in his absence?

Every effort was made on the part of Mamiani and others to induce the Pope to return; but he absolutely declined all communication with those whom, as not professing absolute submission, he persisted in regarding as revolted subjects; — winding up his expression of refusal with a prayer for the peace of Rome. To this prayer he gave its just interpretation by applying, without delay, to the Catholic Powers for their forcible intervention. Among others a letter was addressed to his ‘*très cher fils*,’ the Emperor of Austria, requesting assistance against his rebellious subjects,—a letter undoubtedly written, while his rebellious subjects were still with obviously sincere anxiety attempting to come to some understanding with him. With such a temper on his side events took their only possible course, and under less disorder than could have been expected. On behalf of the Roman Government and people, Mamiani addressed to the foreign diplomatists a well reasoned circular*, which will well repay perusal. Speaking of the Pope in very respectful language, he traces the disorders which had taken place to the very difficult problem of combining the temporal and spiritual power. Of these, however, he proposes to maintain the union in the same august person; nevertheless, concluding virtually that the solution of the problem by the total administrative separation of the two jurisdictions is the sole permanent cure for the disorders of the Papal States.

The Pope on his side having ‘exhausted all the means in his ‘power’—that is, excommunication and the like weapons—again, by formal application †, under date of February 18th, invoked the aid of the four Catholic Powers against an ungrateful people whom he had loaded with benefits, and whom his secretary, Cardinal Antonelli, now loaded with those abusive terms, ‘blackest villainy,’ ‘most abominable impiety,’ &c. &c., which in politics or polemics flow with so fatal a facility from the priestly pen. The Romans, on their side inaugurated a Republic once more in the Capitol.

* Parliamentary Papers, III. 652.

† Parliamentary Papers, IV. 180.

A Republic and a Triumvirate.—For these, too, among other marvels, the year 1849 was to bring to pass. When they came to the decision which declared the temporal power of the Pope to have terminated, Mamiani, consistently with his former views, voted against it; and he retired from the assembly on its being carried. This fidelity, with other offences against the popedom, he is now expiating as an exile in Piedmont.

Under these trying circumstances, internal order continued to be tolerably maintained at Rome. But the confusion of men's minds was extreme throughout Italy; and, as natural in such a state of things, the more determined, though few, carried with them the half-consenting multitude. The plan of an Italian Constituent, for which late events seemed to have designated Rome as the proper place of meeting, gained strength, and became more and more the watchword of the violent party. The Pope had left Rome open to Mazzini: And the exiled head of a proscribed party actually saw before him in near perspective the presidential chair of that Roman, and through the medium of the 'Constituente,' perhaps that Italian, republic of which he had so long dreamed.

The Gioberti ministry in Sardinia had given its adhesion to the idea of the Constituent; so had the Grand Duke's government in Tuscany. It would appear to have been less in fear of temporal evils than of those spiritual consequences, which the censures of the Church fulminated against all abettors of the party in power at Rome, that this amiable prince afterwards withdrew himself from the league, and from his States. The desertion was more excusable than that of the Pope, but still highly blameable; for it exposed his people to an anarchy which their own humanity of disposition, rather than any wisdom of their ruler or rulers, saved from being stained by blood. Upon this, the Provisional Government of Tuscany fraternised with that of Rome; bringing, it is true, no great increase of strength by their accession. Meantime, the ministry of Gioberti represented in Piedmont a very decided, though not extreme, liberalism. It had made the King address to a Chamber, which echoed its language, a speech described by the Austrian envoy to 'breathe of "war in every word;" — assuming in direct terms the "Kingdom of North Italy" as an existing fact, and expressive of a confident readiness to maintain in the field the cause of Italian independence, should friendly mediation finally fail of attaining it. Gioberti, however, had ever clung to the idea that the regeneration of Italy might and must come from Rome. He had striven hard to conciliate the Pope to the views of the liberal party, and to keep up among the Liberals the idea that the Pope

was the most Italian of Italians. In his joint character of Liberal and Churchman he wished to see the Pope restored, but not restored by Foreign Powers. This was soon made impossible. While, the growing strength of the Republicans, the disorders of Central Italy, the sight, especially grievous to a clerical statesman, of the scandal brought upon the papacy by the existing state of things in Rome, more and more alarmed him; it came to pass in a few weeks, that the rapidly nearing dilemmas at the end of the course which he had done so much to open, inspired him with a fear of enemies more to be dreaded even than the Austrians. By degrees, his mind grew familiarised with the idea of an Italian intervention, the final object of which, beginning in Tuscany, was to restore the Pope and keep down the Republicans. He did not venture to declare in words—perhaps, through that force of self-deception which ingenious men sometimes exhibit, did not even perceive,—that this scheme, whether or not in itself desirable or feasible, was at least incompatible with the cause to which he was pledged before all others—the independence of Italy. It obviously could not be carried out without the acquiescence, it almost necessarily involved the alliance, of Austria, or at least a peace of which he had not now to learn the conditions.

To give up all question of Lombardy, and to constitutionalise and reorganise Central Italy, in a liberal but monarchical sense, at the point of the sword, if needed,—this might have been a task worthy of some great Sardinian minister, but certainly not a task for one who had claimed the kingdom of North Italy in a speech not three weeks old. In short, Gioberti 'Austrianised.' The idea was broached only to meet with the utter failure, which in our judgment it merited, and to cause the immediate fall of the minister whose mental inconsistency it betrayed. The Austrians or French had as much right to restore the Pope as the Sardinians. As Roman Catholics their interest was identical. As Italians, the governments of Rome and Florence, republican or under any other form, were not the enemies, but the allies, of Gioberti against Austria; and not the less his allies for being republican, so long as they did not assail him in Genoa.

In this case, as in others, the attempt and not the deed increased the confusion it was meant to allay. It gave strength to the war party, and aggravated the danger of the position of the king in resisting its demands. According to the representations made by his ministry to Mr. Abercromby, that danger was no small element among the considerations which ultimately led to the unhappy decision to recommence hostilities. The agitation of the clubs rose daily higher: the emigrant Lombards were

active: the Chamber voted an address, which was in every word an exhortation to hostilities. The continued pressure on the people of a war expenditure, without any of the advantages of war; the dangers arising from the prolonged agitation of men's minds, the evident hopelessness of reconciling by any mediation claims so directly opposed as those of Sardinia and Austria; and, finally, the chance of accelerating the effects of mediation by arms—these considerations were all assigned as grounds of action, and doubtless were all real. But, as usual, prudence was on this occasion furnishing arguments for the conclusions of feeling, or at least of passion. In a letter, written March 8th, four days before the denunciation of the armistice, Mr. Abercromby thus notices the failure of his efforts:—‘The *deplorable infatuation* which prevails upon the questions of the realisation of the kingdom of Upper Italy, of fighting the Austrians and driving them from Italy, has completely warped judgment and good sense.’ Infatuation it was in one sense, yet not so inexcusable or unaccountable, we think, as it has been represented. Generally it has been censured without reserve.

A strong sympathy for the Italians had induced many to palliate in Charles Albert his former attack, although their moral judgment disapproved of it. But this sentiment had been shaken by the events which had since occurred: so much so, that in great part it was transferred to the Austrians, who had indeed done more to earn it, both by manhood in the field, and, as far as Piedmont was concerned, by moderation after victory. It might have been reasonable (it was argued) to commence, but was now inexcusable to renew, a war, undertaken to bestow on the Italians an independence, which they had shown themselves unable to maintain, and institutions of which they had proved themselves unworthy. Such, somewhat harshly stated was the commonest English view; with which we cannot altogether agree. Those who blame the renewal of the war as absolutely inexcusable, forget or do not allow for the sensation which day by day must have been aroused in Turin, as well as Genoa, by the tidings of the stern military rule day by day tightened on Milan—the heavy contributions, the seizure of arms, (under penalty of death for concealment), all the rigour of martial law. ‘The yoke which we strove so hard to break last year is heavier than ever on the necks of our brethren in Lombardy. We went to war, either to free them, or without excuse, and there is now no hope whatever of obtaining anything for them except by conquest; nor are we at peace with Austria now, but have 80,000 men ready to assail her.’ It is not in human nature that such thoughts as these can have failed to influence, more

or less, even sober and steady-minded men in Piedmont during the first months of the year 1849 : neither would they be, nor ought they to have been, altogether silenced by the reflection that the Lombards had much for which to blame themselves.

The Government of Sardinia, and above all the King personally, stood in a position which, though created by his own acts, was not the less one of inextricable embarrassment. The choice of 1848 had become all but the necessity of 1849. Whatever judgment might be formed of the attack on Austria in the preceding year, it was not easy for them to stultify themselves or their country by admitting it to be unjustifiable, or to renounce its objects, except on proof that they were unattainable. How could the sword of Italy, the King of North Italy—the champion of Italian independence—with an army of 80,000 brave men ready to move at his command, deliberately and uncomelled renounce, without having gained a single advantage for it, a cause to which he was so deeply pledged? From every Lombard city held down by an Austrian garrison a call, like that of Constance, came to him —

‘ Hast thou not spoke like thunder on our side?
Been sworn our soldier? bidding us depend
Upon thy stars, thy fortune, and thy strength?’

If it had been ever right to assist Italians to drive out the Austrians, was it less right to assist them now, when their own vote had given them the additional claim of subjects on his protection?

The true explanation of the attitude and conduct of the Sardinian Government is briefly this: — They stood with arms in their hands ready to maintain pretensions both for themselves and for others, which they had never abandoned, and repeatedly declared that they could not abandon; and they took the final step in obedience, not so much to reasoning or probabilities, or to cool logic of any kind, as to that instinctive impulse which drives men to the most dangerous plunge, when retreat is scarcely possible and suspense has become intolerable. The world has been since made well aware, that the course taken was in every way an error: an error most of all in this, that the army did not share the infatuation of the Deputies. It was not zealous for war; it had learnt to respect the Austrians, and not to love the Lombards. Since we now know, that it would have put down any violent attempt to overthrow the Government at home, or force upon it a change of measures, we also know that the King should have waited and watched events, even if unable to renounce his views. That there were chances of success must be obvious to all who reflect what diversion a

few weeks would have created for him by aid of the Austrian defeats in Hungary. The additional fault lay in the imprudence of the attack—a fault which, though great, success would have obliterated; but which, combined with failure, drew from the moral and great European world one chorus of conscientious disapproval and exultation in the defeat of an unprincipled attempt.

We have to thank Lord Ellesmere for a valuable and interesting contribution to our military histories, in his translation of the work named at the head of our article: but the most lively and picturesque, though popular, sketch of the campaign of Novara is to be found in the pages of ‘The ‘ Soldier on Active Service.’’ The title of this volume, by the way, is a misnomer—it should be ‘Our own Correspondent ‘ on Active Service;’ for the gentleman by whom the greater portion of it is written, a literary man of some eminence, was, in fact, attached to the head-quarters of Radetsky as reporter or contemporary historian for the ‘Allgemeine Zeitung,’ in which recognised capacity he shared the table and campaigning of the Marshal, on the familiar footing of one of the staff; and even received from him, on one occasion, in acknowledgment of the justice which he had done to the brave men under his command, the continental embrace. ‘There was one article which almost ‘ moved the old man to tears—I think it was that which con- ‘ tains the report from the head-quarter at St. Angelo. “Well ‘ “and bravely written,” said the old man; “our friend has ‘ “done his best;” and with this he pressed my hand and kissed ‘ me. I could desire no prouder recompense—I can enjoy no ‘ more lasting recollection, than that of the kiss of Father ‘ Radetsky.’ There is nothing altogether new under the sun. The contributor on the battle-field is but the reappearance in modern garb of the bard who attended of old to mark and make celebrated by song the exploits of the heroes, — *αειδε δ' αρα κλέα
ἀνδρῶν.*

This campaign was perhaps peculiarly favourable to such a narrator. It was no holiday or sham work, but real war: at the same time the shortness of its duration exempted it in part from the concomitant horrors. We see it all from the bright side; the animation of the march, the good fellowship and *abandon* of the bivouac, the excitement of head-quarters as the messengers—the so called ‘Plovers’ of Radetsky, ever on the wing, come and go with news and with orders—the suspense, the final struggle and the victory; and most of those who read the book will close it with a natural sympathy and liking for the brave Austrian army, and the cheerful hospitable staff which surrounds its beloved and venerated commander. That

liking will not prevent us from associating a deeper and sadder feeling with the name of the field where the cause of Italy — for such it was after all — was beaten down.

The denunciation of the armistice was to take place eight days before the actual commencement of hostilities. Its formal announcement was met by Radetsky with a proclamation couched in a tone of scornful — almost insulting — defiance and anticipated victory; by his soldiers with acclamations of enthusiasm. ‘Have you heard? — God be praised! — he has *denounced*,’ was said by one to another, as they met in the streets of Milan. Different enough, and evident even to the eyes of an Austrian observer, were the feelings of the inhabitants of the unhappy city. No immediate rising, however, was to be apprehended from a disarmed and cowed population, whose leaders were mostly in exile. Trusting the tranquillity of Milan to a garrison of 4000 men, and to the terror of his return, the Austrian commander marched, with all his strength collected for a blow which he doubtless hoped and intended to make as decisive as it proved.

Nearly at the same hour of the same day the hostile armies crossed at widely separate points the Ticino. The volume to which we have referred contains, in addition to the narrative of Radetsky’s chronicler, a short sketch of the campaign taken from the other side, by an officer attached to the person of Charles Albert, which puts vividly before us the crossing of the doomed Piedmontese army. Doomed indeed in their own presentiments, in their doubts of their cause and their leaders, in their sense of their enemy’s proved superiority; yet, as the moment approached, borrowing from the animation of action some of the cheerfulness of hope, passing from gloom to spirited resolve, and preparing to play boldly a venture which, if desperate, should not be ignoble. It is at least a relief to every man to have crossed the Rubicon of his purpose, be it what it may. A fanciful touch adds so much reality to the picture to which we refer, that we must insert it: —

‘At this instant all secret apprehensions were forgotten; and for my part I felt hope revive. That revival was partly due to one of those circumstances, puerile in themselves, but which we cannot help in moments of interest taking into account. While employed in scrutinising the opposite shore with my glass, I had my attention diverted by a flock of wild ducks which were swimming towards the Lombard shore; at the last stroke of twelve they rose at once from the surface, and soon disappeared in the distance in direct flight for Milan. As the tales of Roman augury rose to my recollection, I gave way to the superstitious feeling of the moment, and hastening towards the river awaited with impatience the signal for its passage.’

So much for auguries! Alas! — *εἰς οἷαν τὸς ἀπίστος* — and that, though not altogether wanting, was not vividly present to the minds of the brave thousands who, in the spirit of the French marching to Waterloo, in Foy's striking, though French description, 'all without fear, and almost all without hope,' followed their king on an expedition which the soldiers regarded without enthusiasm, and many of the officers with disapproval. They fought to win a country for others, rather than to defend the rights of their own.

By a movement of singular boldness, Radetsky, in crossing with his whole force at Pavia, had thrown himself on the right flank of the Piedmontese army, leaving open to the enemy the road to Milan, and placing himself in a position which in the general opinion of military men defeat might have rendered extremely dangerous. He intended, however, to conquer. The first and great aid towards this intention was given him by the withdrawal from its position, and behind the Po, almost without resistance, of the division commanded by the unhappy Ramorino; an act at the time inexplicable, and which, by a doom of which we are not competent either to arraign or maintain the justice, has since been judged and punished as criminal.* Thus rid of one division, he was able to attack and defeat at Mortara two others of the line which composed the Piedmontese army. This army reduced in numbers and dispirited by such severe and sudden losses, now concentrated itself in a strong position around Novara, and waited the enemy there. It had not to wait him long. Radetsky, though with the roads to Alexandria and Turin open before him, could not leave behind him untouched a well organised army of 50,000 men, with

* Lord Ellesmere's author treats the movement of Ramorino as having little or no influence on the result of the campaign, and insinuates that its importance has been exaggerated to cover the Piedmontese defeat. 'For,' he says, 'Ramorino's division was worth little, and its resistance could not in any case have made the difference of half a day's delay.' This reasoning appears to us obviously weak. Half a day's delay might be as good as half a year's; not to mention, that Chrzanowsky expected his first intelligence from the cannon of Ramorino. As it was, the Piedmontese divisions had scarcely time to occupy Mortara before they were attacked, and their dispositions were imperfect; some of the troops, and a great part of the artillery, were actually not up. The confusion of the whole night affair was great, and the Austrians were not aided by lucky accidents. An attack the next morning might have had a different result, and a repulse at Mortara would have changed the course of the whole campaign.

more than a hundred pieces of cannon. He marched straight on his enemy. On the 23rd of March, 1849, three days after the Ticino was crossed and the war began, was fought the Italian Waterloo. Courage and skill struggled hard and long; with greater skill, and perhaps more determined courage — or, at least, more united. Yet the Piedmontese behaved well; and by no part of the Piedmontese army was their duty more thoroughly and more earnestly done than by some of the officers most opposed alike to the war and the politics of its favourers.

The Piedmontese artillery were true to their high reputation — the princes showed all the courage of their race — the king exposed, almost with rashness, from the beginning of the day, that life which, before the end, he was anxious to lose. But though General D'Aspre's division, which, coming up first, attacked the Piedmontese early in the day, was for a time pinched by their superior numbers, the issue of the action soon ceased to be doubtful, as Radetsky brought up his reserves against the wearied enemy; when the arrival of his fourth corps from Vercelli, cutting off the natural line of retreat, converted failure into utter and irretrievable ruin. Towards sunset the long cannonade paused; the Austrians stormed at the bayonet's point the principal positions of the Piedmontese, and drove them scattered over the country or into the town. Night fell on a field in complete possession of the conquerors; whose watch-fires were lighted up to the very walls of Novara, within which disorganised bands of the beaten soldiery, separated from their standards and officers, savage with defeat and even with hunger, were fighting, plundering, and murdering.

Charles Albert had lost the great stake for which he had played with despairing heroism; and had not been able to lose life with it. He could not make peace with the Austrians, nor they with him: yet he knew that the war was over; laying down the sword, he laid down the sceptre also, and gave to his son the task of making peace. On the very night of Novara an Austrian picquet stationed on the road to the capital stopped, and questioned, and finally let pass, not without suspicions of the truth, a wearied traveller with one attendant; who had been, a few hours earlier, King of Sardinia. Surrounded and followed by respectful regrets, he hurried rapidly through his country to Nice, and left it to die in a foreign land; slain by Novara, as truly as if the Austrian cannon had not, in spite of himself, spared him. His remains have since been laid in the Superga, with a solemnity magnificence and a profusion of funeral honours for once really representing the feelings of which they are so often a mock personation —

feelings honourable to the people with whom he had shared so great an attempt and so great a failure. It may be doubted whether history will confirm to him in permanence the epithet which has been attached to his name,—‘Magnanimous’: but it will certainly not refuse to join with the record of great errors and conspicuous calamities, the recognition of something noble in his nature and something lofty in his ambition; and the Italians of a happier and better Italy than the present, whether united or federate, under whatever names or forms of government, will never cease to regard with an affectionate and charitable reverence the memory, though not stainless, of the first constitutional King of Piedmont, and the champion and martyr of Italian freedom.

The main terms of an armistice, preparatory to peace, were arranged at once between the young King and the Marshal—terms as favourable as Piedmont could have expected: and Radetsky, with the bulk of his forces, returned to Milan. The cannon of Novara had been heard in that city; but the Milanese would not credit the tidings of the result. Let the popularity of Austrian rule in Milan be measured by the account of their own reporter. Strange as it may seem, he tells us that they believed at first they were receiving the remnant of a defeated army, likely soon to retire from Milan and re-occupy Verona. Accordingly they flocked in numbers to the Vercelli gate, to see the beaten troops defile. The bearing of the troops, of the officers, of the old Marshal himself (‘the old man,’ says his enthusiastic chronicler, ‘did not look like a loser of battles’), gradually undeceived them; ‘the faces grew darker as we proceeded;’ and the brilliant procession passed, with its *vivats* and various languaged acclaim, through the crowded streets of the melancholy capital, all hushed ‘in the silence of astonishment and despair.’

‘A projected rising in Lombardy had naturally formed an element in the calculations of the Piedmontese campaign, and had the war been prolonged, or the army of the King been able to support the confederates, a general insurrection would undoubtedly have broken out. The rapid termination of the campaign prevented these expectations from being generally realised: but how efficient an aid might have been derived from this source was shown by one illustrious and melancholy exception, the fierce and bloody revolt of Brescia. That city, the appointed centre and head-quarters of the Lombard rising, kept its perilous engagement. Under resolute and skilful leaders, the people rose, drove out the garrison, and refusing to credit the news of the armistice of Novara, resisted for many days, with desperation,

the forces employed against it. ‘The attack,’ said the Austrian ‘official account, was terrible — the defence *worthy of a better cause*’ — that is, of a better than the best of causes. Brescia is a Lombard city; yet the advocates of Austria and success unscrupulously reply to all arguments on behalf of Italy, that the cowardice of the Lombards unfits them to be free. It was finally bombarded and bayoneted into submission; and the Lombard-Venetian kingdom enjoyed once more ‘the peace which follows conquest.’ Venice alone remained beleaguered but unsubdued. The earlier armistice had partially suspended the attacks of the Austrians; it was broken; and now that Charles Albert was driven from the field, she had to look for the full brunt of their strength: — ‘You have heard the tidings,’ said the President Manin to the representatives of the people; ‘what do you now wish to do?’ The government, it was replied, should take the initiative. ‘Are you disposed to resist?’ ‘We are.’ ‘Will you then give me unlimited powers to conduct the resistance without question?’ ‘We will.’ Pressing round their chief, and grasping his hands, they passed a concise decree in two clauses, worth all the proclamations of all the Circoli. ‘Venice will resist the Austrians at whatever cost.’ ‘For this purpose the President Manin is invested with unlimited powers.’ Its ‘ancient spirit was not dead’ in the city of Dandolo.

In Piedmont, a few, and comparatively but few, of the more violent agitators had the baseness to represent the accounts of Novara as a fiction, and the armistice as a ‘tridimento.’ Voices were heard — one such voice at least was heard — in the Chamber, which had voted the war, denouncing the treacherous or timid armistice, which again had ‘saved Radetsky (!), as the armistice had saved him last year.’ But the mass of the nation was sound, and showed both good sense and good feeling under the heavy blow. Nevertheless, aided by the hereditary jealousy felt by the Genoese towards Piedmont, the agitators succeeded in raising that city to protest, by revolt, for the continuance of the war, and against the peace with Austria. The foolish and ill-conducted revolt was speedily put down; though not before the Republican government at Rome had injured their cause by preaching that Italy had no more to hope from kings, and recognising as allies the insurgents of Genoa — thus indicating once again their rooted error, and doing what they could to justify the scheme of Gioberti. Events were now, however, tending to place the Republican government of Rome in a more conspicuous and creditable position before the world than Italian Republicans had hitherto held. Neither Roman nor Tuscan troops had come in collision with the Austrians in the campaign of Novara; yet

both governments had signified their hostility to Austria in so many ways, that if words and acts have any meaning, it was preposterous in them to meet the attack which they might naturally anticipate, with complaints and clamour or with anything but the sword. That, however, the Romans at least were not now indisposed to draw: while, the Republic of Tuscany fell with much proclamation and little bloodshed, except at Leghorn, — where the Austrians cruelly visited on the many an irregular resistance made only by a few, after the capitulation had been signed.

In the meantime Pio Nono was enjoying, as it were, a political 'villeggiatura' at Gaeta. The most serious cares of the Head of Christendom were at this time devoted to the arrangement of that theory of the Immaculate Conception which he afterwards put forth as a panacea for the rebellions and heresy of the tempest-tossed world. The mundane interests of the papacy had, however, been discussed at tedious length during secular intervals, between the sovereign of Rome and his advisers on the one side, and the representatives of the four Catholic Powers on the other. The rational hope at first entertained that the Pope would, by some concession, aid his own subjects to restore him, had failed before his conscientious perverseness; his spiritual engines had not ejected his opponents from the capital; and it was clear that if the Holy Father was to be restored, it must be by some other artillery. Whether he was to be restored; by whom; on what minimum of terms; or, as he himself desired, on no terms at all; these questions, long agitated in that which a contemporary writer called 'the benevolent (?) farce,' at Gaeta, and long wearying the patient diplomats and the more impatient world, it is useless to resuscitate now.

At last there was known to the world the conjunction of events — for we cannot call it a combination of measures — resulting from the quadruple disagreement — the 'concord of this discord.' The Neapolitan army was about to march on Rome, to restore the Pope. Spain was to send a force, so to speak, to assist at that ceremony. Austria had her own quarrel with Rome; and her part in the drama was already taken, or about to be taken, in the investment and siege of Bologna; and France was meditating an expedition to Civita Vecchia, — to do what? to put down the government of an independent people, and restore an expelled sovereign? Not exactly; to do something called in diplomatic language 'maintaining the due influence of France in Central Italy'; and with a view to that object, to occupy Civita Vecchia; and it might be, Rome.

Thrust back on all sides, the bearing of the Government of

Rome was more in accordance with their own high claims than with the opinion hitherto entertained of them. They earnestly, and not without hope, remonstrated with the French ; they welcomed and defied the Neapolitans ; they prepared to resist any and all. They levied troops, they formed defences, they prepared Rome to meet attack from whatever side it might come, to the best of their ability. They were charged at the time with raising money by the sale of great works of art. Had the charge been true, we do not know that it would have been more culpable to sell the treasures of the Vatican for defence, than to seize them in the name of conquest ; but we are not aware that any one of the Vatican treasures disappeared from Rome under the sway of the triumvirs, or received the slightest injury during a period which some represent as one of anarchy and plunder.

In truth, whatever may have been the previous faults of the men who spoke in the name of Rome, neither their position nor their cause were now ignoble. Obscured as these have been under an almost universal cloud of obloquy, it may be worth while to state, in few words, what Mazzini and his comrades were, and what they defended. They were the rulers of an Italian State, apparently by free choice of the people ; certainly without any external show of opposition or disaffection. As Romans, they defended the right of a people to repudiate a bad government, and to resist its restoration by foreign power. As Italians, they stood forth a relic of the Italian war, and their cause was still the cause of Italy. It was in this character, if she assailed them, that Austria would assail them ; and, as such, whatever might be their hope of success, the right of resistance at least was theirs.

Some of the most determined soldiers of that cause, from various lands, but mostly Italians, had, under Garibaldi and other partisan leaders, come to Rome as their last centre and stronghold ; where they formed the nucleus of an army. Even the employment of these forces is among the atrocities charged on the triumvirs. Garibaldi's troops, we dare say, included many ruffians ; if not, they were unlike any army, regular or irregular, that ever enlisted ; they included, also, many young men of noble and rich families, to whom the cause of Italy was not a mere subject of club oratory and after-dinner effusions. Men were slain in the ranks during the siege of Rome, who left large sums of money to the cause for which they had given their lives. The stern discipline maintained by their leader gave, as is universally admitted, no cause for complaint respecting the conduct of his irregular forces towards the inhabitants. The Pope is

supported by a French army ; the King of Naples is surrounded by faithful and highly paid Swiss regiments ; but it is an inexpiable sin in the revolutionist Mazzini to have leant for support on the condottiere Garibaldi.

With soft words, and a show of overwhelming force, the French disembarked at Civita Vecchia, which they grasped at once ; the iron-hand making itself felt through the velvet glove. Still we doubt, whether an officer in the corps confidently conjectured with whom they should first cross swords : it might be with Austrians, it might, perhaps, be with Italians, of one or other colour. In the mean time, they were there 'for their own hand,' to promote or to combat reaction, as might be. Occupying Civita Vecchia, the French general sent to Rome messages of a double tenor, of which the bulk was friendly but indefinite, and the definite request hostile. His mission was, to protect the rights of the Roman people ; to enable them to choose a government for themselves in real freedom ; to secure them from reactionary enemies. His demand was to be admitted into Rome. In plain but not conciliatory language the Republican Government declared, that they asked for no protection, that the free choice of the people was declared already, and that the forces of a foreign Power could come to Rome only as positive allies or as enemies. Paving the road with reiterated professions of friendly intention, the French advanced upon Rome, incredulous of the resistance which was promised them. It was already clear that the condition of the Roman States had been in some degree misrepresented : where they looked for anarchy they found at least outward unanimity ; where they had expected to be welcomed as restorers of order, if not as restorers of the Pope, they found not a voice raised, except to denounce their interference. •

Yet, after all, Europe was astonished to hear that the Triumvirs, with the aid of Garibaldi, had kept their word to resist, and kept it victoriously ; that Oudinot, arriving at the gates of Rome, had met neither welcome nor shrinking, but well-levelled cannon, loopholed houses, and barricades ; surmounted, it was said, as if in bitter irony, with the French declaration of the respect due to independent nationalities ; and that, dashing against them with some of the best troops in the world, he found himself, after a sharp conflict of some hours, still outside Rome, and in retreat ; with the loss of some hundreds in killed and wounded, and a whole column of prisoners. 'To us, citizens of Rome,' said the head of the barricade commission in a tone partly heroic and partly bombastic, 'this is no surprise : but it will astonish Paris.' It did indeed. Paris resounded

with mingled indignation. To a certain point, the blame might be shared very generally among its various parties. The idea of restoring to his seat the spiritual father of Catholic Christendom was first taken up by the Republican Cavaignac as an election clap-trap for the simpler and more religious portion of the French constituency, the agricultural millions. Like his more substantial and more honest claims to support, it failed against the single claim advanced by his competitor in ‘the great name.’ The idea, however, met some acceptance, both factitious and real. Sure to be backed for its own sake by all the pseudo earnestness of the mediæval party, it was scarcely less sure of support from the heterogeneous politicians of the party of ‘Order,’ — a party more thoroughly earnest in the pursuance of their object, and not less unscrupulous as to means; for a Papal restoration was reactionary, and might be popular. The Prince President and his government adopted it, undoubtedly with the expectation of effecting their object without violence; and, viewed in this light, there were plausible grounds of policy to recommend it. As the leading parties in France did in fact acquiesce in the more glaring, though scarcely more real, injustice of a war against a sister republic for the restoration of the Pope, it is plain they would have applauded one effected quietly, and with some semblance of popular sanction. But the French are not fortunate in their Italian politics; and they were committed to the enterprise, before they could be aware that they would have to perpetrate in full the wrong of which they coveted the fruits. They resented it as a grievance, that they did not meet at Rome with the favourable or timid dispositions upon which they had, without just right, counted; and that they should be obliged in the face of Europe to beat down by force the resistance which they had hoped to overawc by display.

The Constituent Assembly, now on the point of resigning their powers, had sanctioned the expedition with no very clear views of its purpose, beyond those expressed in the general phrases of maintaining French influence, and, among other things, guarding against the reaction which an invasion by Austria would or might create. They now protested against the use made of a sanction which they had so indefinitely — (might it not be said, so recklessly?) — granted; voting that Oudinot had gone beyond the intentions with which they had authorised the expedition. The Government vindicated their instructions, and adhered to the necessity of making the influence of France felt in Central Italy; that is, of anticipating the Austrians in the possession of Romc. Still their object was not to impose a government on

Rome, but to aid in reconciling the Pope with his people, and in maintaining and developing those liberal institutions which he had given ! They were told, and told most truly, that this was to impose a government on Rome. They were told, that they were contradicting every profession ever made by France in behalf of freedom and national independence : they were told, that it was a strange employment for a French army to restore a government of priests. They were told a great deal more to the same effect, every word of which was cuttingly true. But the party of Order could not afford to admit by concession, that their adversaries were half so much in the right as they really were on this occasion. Moreover, right or wrong, the French had declared their intention of entering Rome : they had attempted it and failed, and the slur must be wiped off their arms. Thus the disgrace of the failure was brought in to cover the iniquity of the quarrel : and the plain right of Rome was sacrificed to faction and national vanity. ‘ Oh, Liberty ! how many crimes are committed in thy name ! ’ — and in that of Order ? Ask Hungary. Ask Naples. Order is an all but priceless thing, and so is Liberty : yet neither the one nor the other are worth being purchased, and seldom is either of them really purchased, by crime. In fine, the Government persevered in their attack, and were supported by the New Chamber. The definite intentions of occupying Rome, and the indefinite objects of the proceeding, were repeated in the President’s message, of June, 1849. France would be present in Central Italy to preserve the Roman States from spoliation, to aid liberty, and prevent reaction ; and if she did happen to restore the Pope by the way, what could be better ? ‘ Si notre présence avait pour résultat le retour de Pie IX. ce souverain, fidèle à lui-même, ramènerait avec lui la réconciliation et la liberté.’ Seldom has a flimsier veil been spread over an indefensible aggression.

While the French were waiting reinforcements and negotiating — that is, attempting to do by persuasion and menace the injustice which they otherwise were resolved to do by force, — the Neapolitan army (nearly 15,000 men, with twenty pieces of cannon) was advancing on Rome. Part of their forces, with the king, advanced as near Rome as Albano. In the neighbourhood of Palestrina they were attacked by Garibaldi, and suffered a severe check ; to celebrate which the king, proclaiming it to be a victory, ordered a ‘ Te Deum ’ at Naples, and fell back on his main body at Velletri. A suspension of arms, meantime, was concluded between the Romans and the French. It lasted just long enough to allow Garibaldi to follow the king to Velletri, and, with a smaller number of irregular troops, to inflict

upon the regular Neapolitan army a defeat too unmistakeable in its character to admit of a second thanksgiving for a fictitious victory. The Neapolitans retreated, or ran, across the frontier, and so ended this section of the war. The Neapolitan official account took great credit for the unexampled rapidity and safety of the retreat. If we may trust credible statements which we have heard, the panic and rout of Velletri were so scandalous that it is hardly possible to account for them, except by supposing the existence of some indisposition to the object of the service as well as to the danger. Garibaldi followed by the old Samnite road to the banks of the Volturnus, and was preparing to march on the capital, when the expected renewal of attack by the French recalled him. But for that renewal it is not impossible — scarcely improbable — that he might have made his way to Naples. We turn with some reluctance from a speculation so curious as the possible results of his entry there as a conqueror.

During the interval between Oudinot's attack on April 30. and its resumption, every effort was made to conciliate the French, short of submission; every attempt made by them to enter, if possible, without force. The contest, intermitted by the sword, was carried on by the pen; and, in that capacity also, Mazzini showed himself an antagonist not to be despised. When he remarked plainly, but calmly, on the futility of their professions of an unasked assistance, coupled with the declared intention of an occupation incompatible with independence; when he pointed out that of all enmities to the Roman people the friendship of the French was the most fatal, — paralysing their defence against more declared enemies by distracting it, and even stopping the supply of arms which would have enabled them to defend themselves; when, in reference to their pretext, that they came to give effect to the free choice of the Romans, now held down by a government of force, he challenged them to point out a single proof that the existing Government was other than freely chosen, a single proof of reaction or regret for the expelled clerical Government; when finally he appealed to the French, if they could not strike for them, at least not to strike against them, — if they would not recognise the Republic, at least to stand by and see whether she could, left to herself, repel the Austrians, — there was not a reasoner in all Europe who did not admit that, the Triumvir's argument was unanswerable. He declared the final resolution of the people in whose name he spoke, never again voluntarily to submit to a 'Pontiff King,' and the attitude of the people supported his words. According to all contemporary accounts, the outward unanimity was com-

plete — the absence of reaction, of disaffection to the Republic, of willingness to admit the French, entire.

It was not much, however, to outwrite M. Lesseps, the Envoy of the French Republic, even as completely as Garibaldi had out-fought the King of Naples. Mazzini gained a triumph more rare in diplomacy than victory over greater forces in war, — he converted his opponents, and M. Lesseps agreed to a convention ; the effect of which was to acknowledge the Roman Republic, and place it in a degree under French protection. Deeds, however, which it is impossible to justify, are possible to do ; and unfortunately the General was not converted also. To the powers of the envoy he opposed his instructions, which ordered him to obtain military occupation of Rome. The French Government supported the General ; the convention was disowned ; and the attack resumed on June 3. The Romans, with some show of reason, charged the General with recommencing the attack in breach of faith, before the truce was in fact at an end. They were certainly taken by surprise, but resisted fiercely and bravely. The positions around the Villa Panfili were taken and retaken : the neighbouring villas were riddled with cannon-shot, first from one side, then from the other ; but the advantage remained eventually with the thoroughly disciplined battalions and heavier *materiel* of the French ; who established themselves in the coveted position, and began their regular approaches for a siege. In a few days heavy battering cannon were shattering the soft brick walls which guard the Janiculum ; in a few more the breaches were assailable. On the 23d the French established themselves on two points in the Wall of Aurelian, where it follows the slope of the Janiculum down towards the Tiber. On the 29th they stormed and won, after a bloody struggle, the batteries close to the Porta S. Pancrazio, on the very crest of the hill, — the highest ground in Rome. The next move would have given the French general the possession of S. Pietro in Montorio ; whence he could look down on the city spread map-like before him.

The French had suffered severely in gaining these advantages, and so had the defenders. In one bastion nearly a whole regiment had been destroyed : 400 lay slain on the spot ; 120 were taken prisoners. Many a brave Lombard gentleman, many a Roman student had fallen, not as officers only, but as common men.* Some of the best superior officers in the service of the Roman Government were slain, — as Manara, and others :

* The Lombard battalion, and that of the Roman students were the opponents whom the French found most formidable, even more than the bands, properly so called, of Garibaldi ; and whom they looked on

dead ‘*for Italy*,’ says Mazzini, giving the names; and we entirely agree with him. These men died for Italy truly, if in vain. Honour to the dead in a noble cause; yet the deeper is our regret in reflecting that the brave lives given as a protest on the Tiber might have been the price of victory on the Mincio.

The right bank of the Tiber was now untenable, except the Castle of St. Angelo. The left might have been still defended; and Garibaldi laid before the Assembly plans for a defence, which, well seconded, would have given to Oudinot a bloody and dear-bought conquest over a ruined city. But every roof lay open to the view, and exposed to the shells of the enemy; and the republican government rightly ceased from a defence which — though not, perhaps, as they styled it, ‘impossible,’—had become useless. Infinite bloodshed and devastation might have deepened the wounds of Italy and the disgrace of France, but would not have redeemed the eternal city. The Gaul was again in Rome.

Without capitulation, but unresisted, the French entered on one side, as Garibaldi, with whom they declined to make terms, withdrew on the other. The servant now of no State,—a lawless adventurer in the eyes of national law,—nothing but the brave leader of many brave men,—he made his adventurous way through and across Central Italy, where all force that was not French was now Austrian. If Song lived still in the Sabine mountains, many a future lay ought to tell how the outlaw of Italian liberty left the conquered city, foiled his French pursuers and gained the mountains;—how, threading the Apennines from Tivoli to Terni—from Terni to Arezzo, he levied rations and contributions in spite of Austria, and, like greater adventurers, made war support war;—heard of here and there, repeatedly struck at by the Austrian pursuing columns, damaged but not crushed, evading through their lines when on the point of closing on him, he reached at last the Adriatic;—how, creeping along the shore with the relic of his band, his scanty flotilla was beset and scattered by the fire of an Austrian fort and gun-boats,—how some were sunk, some taken;—while, with a few others (including his wife, who followed him every where, and shared all his dangers), he escaped to

with more respect after their entry into the city. That they said was the uniform which they had held most in awe. — *Times Correspondent*. We rejoice to see announced for immediate publication, a translation from the Italian of Emilio Dandolo of *The Italian Volunteers of 1848–9*. It is dedicated ‘To the Memory of Enrico Dandolo, Luciano Manara, and Emilio Morisini, who fell in defence of Rome.’

shore, and was lost sight of in the woods;—how the pursuers found the corpse of a woman, dead of hardships and fatigue, who was recognised after long doubt as the wife of the fugitive chief;—and how, at last, he reached Venice—worn out with toil, and almost alone—in time to accept a command in the last stronghold, and to see the last shot fired in the struggle which he had done and suffered so much to maintain. His story is a romance ready made. Daring, but cautious, gentle in demeanour, capable of sternness, but not cruel, Garibaldi has indeed more of the real Robin Hood features than any other modern guerilla captain. Those who call him a mercenary *condottiere* forget to tell us what price would have bought him to the other side; and bitter, indeed, must have been the politics of the man who did not hear with satisfaction that the brave adventurer had at last escaped the hands of those who would have consigned him to Spielberg, or, more mercifully, shot him as a brigand.

At length the French held Rome. They had spent two months in attacking a scarcely defensible town; they had shown their own hereditary and undeniably courage, and they had finally effected their object as an army: they had also effected some collateral objects. They had in the eyes of Europe made soldiers of the Romans—a hero of the so-called brigand Garibaldi—a ruler and statesman of the so-called dreamer Mazzini—but they had not restored Pius IX.

They maintained the police of the city; they set up in the trio of Cardinals a sort of fragmentary representation of the papacy, whose wretched abuse of such power as was put into their hands they had sometimes to prevent or correct, and daily to blush for; but they had done nothing which gave a hope, or bore an appearance, of permanence. The whole position was obviously provisional, but not therefore less embarrassing. The few northern visitors, whom accident or curiosity led to Rome in the early autumn of 1849, saw a state of things especially striking and singular to those who knew the city under its former aspect. It was singular enough to see the relics of the siege itself—the torn and tottering wrecks of conspicuous villas, the breaches in the course of rebuilding, the deep holes of the cannon ball in the walls of the one city in the world, which, a few years since, would have been thought the most entirely exempt from the visitations of war. But these external marks, and all the apparent symptoms of the desolations of a besieging army which could be pointed out, were, after all, slight compared with more vital symbols of change. A Rome without priests was stranger than a Rome with walls battered by cannon.

The behaviour of the French soldiers was (and is), by all testimony, exemplary. They gave no offence of any kind, except what was given by their simple presence; but that was enough to prevent any thing like cordial feeling between them and the inhabitants. Generally speaking, the Roman citizens and the French soldiers did not quarrel—they ignored, so to speak, each other. They passed without looking at each other; if chance led them to the same café, they took the most distant seats. Even a review or parade of the troops called forth few spectators. A general air prevailed, not of irritation so much as depression, of sullen acquiescence in the inevitable past, of sullen expectation of a future, which it lay in the hands of others to mould. Their feelings were not demonstrated by clamour, but were unmistakable. The ‘Conservators’ might, however, with impunity set up in the Capitol an inscription in honour of Oudinot, to be protected by a French sentry; and the once magic initials S.P.Q.R. invoked and profaned in turn by the upholders of every banner in Rome, neither gained nor lost credit by being attached to one fiction more, in the shape of a servile and foolish piece of Latin, which placed the French general on a level with all past deliverers of peoples and takers of cities.

Meantime, were the Romans united and enthusiastic in the defence of the city? were they, on the contrary, at heart opposed to the Government of the Republic? or, were they in the main absolutely inert, and constrained to take such a part as they did take in the defence by terror? These questions are often asked, and as often answered by opposite parties in opposite ways. The priestly author or authors of the pamphlet intituled ‘Gli ‘ultimi 69 giorni della Repubblica di Roma,’—a work which produces the effect, not so much of a string of separate misstatements, as of one long sustained falsehood, scarcely affecting to be true,—would lead us to believe that the vast majority, warmly attached at heart to the papal dominion, and regretting every day more and more the errors into which they had been partially seduced by the small and pertinaciously wicked minority,—yet acquiesced, and without resistance, in the orders of the existing Government, partly from terror, but still more from the marvellous power of deception, possessed in some mysterious and unexplained manner, by the Republican leaders. If we are to believe the Jesuit account, it was mainly by lies that Rome was defended. Unquestionably the partisans of the theory ought to be able to form a correct judgment of the force of that artillery; but it may be that habitual confidence in an arm so powerful, when wielded by experienced masters in the art, has led them to overrate the amount of its use in

hands less practised, or at any rate hands more limited in their choice of weapons.

On the other hand, it has been proved that by far the greater part of the forces, actually bearing arms under the banner of the Republic, were Romans. Mazzini states them at 14,000 out of the 16,000 composing the regular forces. The National Guard of Rome itself is stated to have been 13,000. It may be perfectly true, and is in accordance with what we should otherwise have anticipated, that the most active part in the defence was taken, and the severest proportionate loss sustained, rather by the Lombard exiles of good family, by the troops of Garibaldi, and the students of Rome, than by the shopkeepers of the Corso. But a mere enumeration of the forces employed destroys the calumnious absurdity of a unanimity produced by terrorism exercised by a small band of foreigners. Where was any exhibition of the feelings repressed by 'terrorism,' when the entrance of the French removed it? Was the voice — we will not say of a fear-silenced majority, but of a minority, however small, released to applaud the downfall of the Republic of Rome? It was the interest of the French, as being in some sort their excuse, — while it is no less congenial to the prejudices of some writers in this country, to attribute to an impossible terrorism and to an unproved atrocity the unanimity of Rome under the government of the Triumvirs. But the French cannot produce an '*Il faut faire peur aux Royalistes*' from the annals of Rome. Neither can they show, that any thing like a native party was repressed by violence or fear of violence. That at such a time not one lawless or evil deed was done, would have been rather a miracle than a merit. But on much concurrent testimony it is clear that the efforts of the Government to preserve order were incessant, and to a remarkable degree, successful. We have heard on good authority, that the streets of the city were far safer for ordinary passengers under the Triumvirs than ever under the papacy. We are not forced to attribute to the people, either of Rome itself or of the Papal States generally, any excess of enthusiasm in support of the Government of the Triumvirs. The apparent unanimity of the elections which returned the assembly whose first step was to depose the Papacy and establish the Republic, may undoubtedly indicate no real depth of republican feeling. We know by a greater example, that a country of which no one can confidently predicate the real wish, — whether for a president, a king, an Emperor, or a Phalansterian, — may yet return, by free universal suffrage, an assembly voting a Republic by unanimous acclaim.

But the Roman Republic was born of events. It cannot be doubted, that the efforts of Mamiani and his colleagues to induce the Pope to return to Rome were sincere. When they were frustrated by the prudence or timidity of Pius, the Romans had to find a Government; and the active republican party furnished them with one, which they took for better or for worse. After all that has been said on the subject, it is difficult to see what else they could have done; unless they would have earned the contempt of all Europe by recalling Pius on such terms as he and his advisers would have accepted — such terms that is, as he afterwards required from the French, and in the main has obtained; though, rather than yield them, the French endured the inconvenience and scandal of nine months' prolonged occupation of Rome, without the shadow of legality to be borrowed from the presence of its nominal sovereign.

The Romans then accepted the Republic and the rulers it gave them, as they would have accepted a better government had such been attainable. If the existence, for a certain time, of another form of government in Rome, coupled with the circumstances under which that Government was overthrown, should have made the permanent restoration of the papacy on its former footing impossible, Pius has himself to thank for the result. A fortnight after he left Rome there was probably no person of moderate opinions who would not willingly have seen him return. What has since passed must have gone far to satisfy all his subjects, that the vices of a priestly despotism are incurable. The hold of the Papal Government over popular faith and feeling has also doubtless been shaken by a breach in its continuity, less easily repaired in the 19th century than in the 14th. The resistance, therefore, of the Romans we regard rather as negative than positive: it was a resolute protest against the old tyranny, rather than a passionate devotion to the Republican Government — a denial of the Pope, not a Credo in Mazzini.¹ It was unanimous, because a Papal re-action had absolutely no partisans: it was, on the part of most, steady rather than passionately daring, because of its known hopelessness, should the attack be persisted in. The foreseen surrender was on the whole acquiesced in quietly, partly because foreseen, partly because after all it was better, at least less hopeless, to be in the hands of the French than in the hands of the priests. With a deep feeling of the wrong done was combined a certain disposition to hope something from its doers. The comparative forbearance of the conduct of the attack was evident; and the sufferings caused by the war had not yet been bitter and universal enough to beget that passion

of national hatred which defies calculation, and looks on death as the sole alternative for the destruction of the oppressor — the passion which has made the names of Numantia and Saragossa immortal. This state of things has at last been terminated, as far as the return of the Pope may be considered to terminate it; — terminated as far as we can see, not so much by any definite and permanent arrangement, as by the simple lapse of time: ending because it could not last for ever, not because replaced by a settled government, or even by a well-founded hope of settled government. Pius returned, not because the Papal, and the French diplomatists had arranged the basis of a new political system for the Papal dominions, but because, after months of labour, they had found it impossible to arrange any. It became, however, clear that he could stay away no longer consistently with the pretence of sovereignty, and he returned accordingly. He entered, by streets lined with foreign troops, the city of which he had been the idol, and which once more received him with a theatrical show of rejoicing. As far as can be judged, there was little feeling against him personally, and still less in his favour. The presence of the French army was, and has continued since, a guarantee for the preservation of order; but no real progress has been made towards solving the problem of the future government. If, however, there is one point which stands out as certain, acknowledged by all parties, from the correspondent of the 'Daily News,' to the correspondent of the 'Times,' it is this: that the willing acquiescence of the inhabitants of the Roman States in a government of priests is over. French protection, Austrian dominion, any thing that can render itself respected through sheer force, if not otherwise, may be permanent while the force lasts; but a régime of cardinals is not to be borne. Rome now obeys not the priest, but the soldier. Let the soldier withdraw, and what would become of the priest?

It is laid down as a great advantage, if not an essential principle, that the head of the Roman Catholic world should be an independent sovereign. The advantage we will not, on the present occasion, contest. But if the necessary result is the subjecting three millions of people to a government which, if left to themselves, they would overthrow in half an hour, no advantage can justify, or, we hope, permanently maintain, an injustice so grievous. What right has Europe to sacrifice them to an assumed convenience? The true inference lies the other way. If the Pope must be an independent sovereign, his people must be governed like any other independent nation. And if this be conceded, there is no possibility of stopping short of the result pointed out

by Mamiani in the letter which we have already noticed; viz., a total administrative separation between the temporal and spiritual powers, 'the two remaining united in the same august "person." That is, the Pope being absolute head of his spiritual Europe, would be constitutional king of the Roman States.

Would such an arrangement be permanent? We cannot say. There is, at p. 113. of the Parliamentary Papers, a remarkable letter from Sir Hamilton Seymour to Lord Palmerston. It touches a main difficulty of the case: and what justification of the distrust of the Roman people in their spiritual monarchy, can be more decisive than the reference to the manner in which Gregory XVI., as priest, overruled and set aside the promises of Gregory XVI. as king?

'This engagement,' says Sir H. Seymour, speaking of the concessions made and presumed, 'was notified by the solemn word of Gregory XVI., not only as sovereign but as a conscientious man.'

'Now as it cannot fail to be remembered throughout the Roman States that promises made by a temporal Prince, the head of the Roman Catholic Church as he was, and a conscientious man, as he stated himself to be, were so completely broken that at the end of a few months not only had the projected reforms not been undertaken, but previous concessions had been all resumed, the mistrust of the Romans in *engagements entered into by a potentate possessed of the same all-extensive powers* appears intelligible. Those (Sir H. Seymour goes on to say) who are so intent upon the separation of the powers, may possibly become reconciled to the co-existence of the two authorities, if through the guarantee of those Powers who are so eager to carry assistance to Rome, or by means of any other equally solemn pledge, they *can obtain full security against the infallibility of their Sovereign* and against a possible relapse into a state of things ill suited to the spirit of the nineteenth century.'

To obtain that security, to keep the two functions parallel without their clashing, is likely, we think, to be found an impossible problem. If so, the inference is — what? Not that the Romans must continue the 'Helots of the Papacy,' but that the Papacy must try to stand on some other basis than that of a temporal kingdom. We touch this point, because it cannot be altogether omitted from a review of these great possibilities; but to discuss it fully would demand a volume in itself. What we are confident of is, that the experiment of the separation will have to be tried, and that on its result depends the duration of the Papal monarchy.

The fall of Venice followed shortly on that of Rome. Exhausted as our space is, we must yet give a few words to the manner in which the Venetians kept the promise given by them to Manin. The details of their steady defence may be found in General Pepe's volumes. There is something diffuse and Nes-

tor-like in the redundancy of his narrative ; and perhaps some little touch of the vanity of an author in the too numerous ‘ Orders of the Day,’ full of ‘ national sentiments,’ — which he, with much reliance on their effect, addressed to his soldiers, and has now published to the world. There are Lafayette-like touches, too, in the notices of the ‘ white plume’ which drew upon the batteries in which it appeared a renewal of fire from the Austrian lines. But the evidence, on the other hand, of resolution and sense is most ample : an earnest desire to uphold the spirit of the besieged, is dignified throughout by a manly abjuration of popular clamour ; if there are some claptraps for the troops, there are at least none for the ‘ circoli ;’ and subordination and patience are everywhere inculcated as essential to patriotic soldiership. His statements of the efforts made by him to preserve order and discipline, as well as to encourage enterprise, are entitled to entire credit from the great extent to which those virtues were actually manifested under his command. He frequently refers to an impression which he admits to be too common, that ‘ the Italians cannot fight ;’ and points with a satisfaction, into which none can fail to enter, to every deed of honourable valour which disproves the calumny. On this, as on other grounds, the commander-in-chief of the Venetian forces feels, and we are glad to agree with him in feeling, that his efforts for Italy have not been all thrown away.

Fort Malghera, the most important point in the Venetian defences, fell into the hands of the Austrians, after a defence which is thus characterised in the ‘ Augsburg Gazette’ : — ‘ To honour praise should be given. The garrison of Malghera behaved most valiantly, and here every one acknowledges that no troops could have resisted longer.’ The endurance of the inhabitants paralleled the courage of the soldiers : to the last they received with cheers and without complaint the commander-in-chief on his way to prolong the defence, which had become a prolongation of suffering. Manin appealed to England ; and received in answer the only possible advice, which yet it must have been painful to write, that the Venetians should accommodate matters with Austria. The aid which they might have hoped from Central Italy, the intervention of France destroyed. They entered into communication with Kossuth ; but the aid which they might have hoped for from Hungary, Russia destroyed. Assailed at once by war, disease, famine, and failure of ammunition, Venice capitulated on honourable terms. Any other would have been a dishonour to the besiegers. So ended the Italian war.

Seldom has so great a convulsion come to a close in a less

amount of apparent change. Seldom have hopes so great and apparently well-founded fallen away in a disappointment so nearly complete. We will not affect to look with other than the deepest regret on the general result, or to draw more than a partial satisfaction from the contemplation of such circumstances as partly mitigate the calamity we deplore.

We need not recapitulate the hopes in which the war began; nor can we here go back and illustrate from Mariotti's very striking volume our former narrative of 'the struggle' in 1848. But before referring to the hopes which that struggle has left, let us look the worst in the face, and see in what outwardly it ended. It ended in the restoration of the hated rule of Austria in Lombardy, and her supremacy in Italy; in the restoration of one of the worst of governments in Rome, and of the worst in Naples, untinctured with improvement. Italy is once again what the Austrian Metternich called her, and the Austrian armies make her, — a geographical expression. Once again, in the striking language of Mazzini, is 'Austria the blade of the sword of which the Pope is the cross, and this sword hangs over all Italy.' The sole difference is, that the cross has lost such sanctity as it possessed, and the sword is sharper than ever. We have shown in our previous remarks no wish to form an unjust or unfriendly judgment of the Austrians; but, from the very necessity of the case, the Austrian Government in Lombardy must, for the present at least, be more than ever a government of force. The sword must hardly hold what the sword has hardly won. There will not be, as there never has been, under the iron crown, the anarchical mismanagement of Rome and Naples; but there will be the government of foreign functionaries backed by foreign bayonets, labouring to prove, and perhaps even to make, their rule not unpopular with the mass of the people; but showing, by their every act, that they are afraid of the thoughts of every thinking man. To train that thought in a prescribed channel will be, as it has been, the duty of education; to suppress and punish it whenever it strays out of that channel, the duty of administration. There will be, as there was in the war, an ostentation of consideration for the working classes; a systematic attempt to distinguish their interests from those of their superiors. Spiritual life will be trampled out, while material life, with its taxable products, will be cared for, so far as its well-being is compatible with the paramount object of blind submission; and upon this will the advocates of despotism in Italy still build their defence of a government 'popular with the peasantry, attacked only by intriguing nobles, priests, physicians, and lawyers.' We think the argument

admits turning the other way. What must be the rooted faults of a government of which, in spite of some real merits and many good intentions, every educated man in the country is the enemy? It is scarcely a metaphor to say that such a rule, while it cares for the body, kills the soul.

Of the Government of Rome we have already spoken. There brave and intelligent men still stand by, in foreign uniforms, maintaining with their courage and scorning with their intelligence an uncorrected and incorrigible system. Even Austria remonstrates against the imprudent perseverance in every abuse, the thorough restoration of ecclesiastical misgovernment, and remonstrates in vain. The Pope has learnt and forgotten much in his exile, though not to profit in either case: he has forgotten whatever generous impulses once encouraged him to aim at bettering the condition of his people; he has learnt the difficulty of combining an absolute theocracy with constitutional institutions; and this lesson at least he has taken to heart, as seen in his shrinking back sullenly or despairingly from the attempt to reconcile the existence of his priestly monarchy with some, even the most moderate amount of political freedom or practical improvement;—an attempt which those who restored, and whose presence alone upholds him, are for ever urging him to make.* For the present the state of Rome is hopeless, but from the very excess of the evil. We have necessarily excluded from our short notice of the events of the Italian war, the episode

* The 'Times' of September 23. 1850, contained extracts from a letter written under date of September 7. by an Austrian officer at Bologna, which convey so pointed a testimony to the present condition of the Papal States, and its causes, that we reproduce some passages. 'We are hardly sure of our lives in the city; we meet faces the eyes of which seem to dart daggers.' The writer then describes the universal prevalence of that half political brigandage which so often arises in countries held down by foreign force from rising against domestic oppression. 'The roads, from city to city, are infested by robbers, who are either grand signori, peasants, priests, or professional vagabonds, as the case may be.' These disorders are accompanied by great atrocities. It is however clear that in the writer's opinion they are political not praedial outrages. 'The evil, however, is not alone in the nation, but in the Government. When things were unsafe, the clerical Government fled; now that the French and Austrians are here, it is obstinate and deaf to all reasonable demands. As long as we and the French remain here, there is no question of a revolution, but the moment we turn our backs, it will break out.' We need hardly recall to the memories of our readers one of the most recent signs of the times, the melodramatic scene of brigandage acted in the theatre of Forlimpopoli.

of Sicily and the various ill-planned and useless risings in the continental part of the kingdom of Naples. The existing Neapolitan *régime* cannot be spoken of or thought of, without the deepest shame. The principal political step recently taken under it, besides the arrests, which are the staple of government, has been measures for extorting, by fraud and menace, from the various provinces petitions for the formal abolition of the constitution; an abolition, which would make little practical difference, beyond legalising the present brutal tyranny. There is nothing like it now in Europe. Travellers may find something of the kind in Africa or Asia.

Such, after the victories of Austria, of France, and of the King of Naples, is Italy. After having traced the course of the fairest hopes from their birth to such a death as was so soon to follow,—and which was the consequence of not only unavoidable misfortunes, but, in part, of great and avoidable errors—it seems as if there were little left for hope to fix on. The failures and faults of the Italians have alienated from their cause all the friends of success, and some of the friends of right; and a tone is now prevalent of regarding what has taken place as a *fait accompli* for ever. ‘Respectability,’ which deserted them *en masse*, even before Novara, and almost rejoiced in the conquest of Rome, is now as unfriendly as misfortune can make her. Accordingly some real, among many feigned friends, or rather friends whose friendship is more than half real, give her the bitter and disparaging counsel not only to give up freedom and union, as unattainable dreams, but to content herself with what she has—charitable convents making idle the surrounding population, with a benevolent prince or princess here and there aiding in that good work; and, for the rest, to cultivate resignation. Resignation and submission are inculcated on the oppressed as their chief duty by such writers as Manzoni; and, in part, too, by the noble but broken spirit of Silvio Pellico. Now, let but the oppressed be always resigned, and there is no chance of redemption for the world. Resignation is a duty; yet so, in our creed, may be armed resistance. The time for that resistance was and is past; the time is come, we admit, for present endurance; but also, we believe, for future hope. Austria just now is lying on Italy like Etna on Enceladus; and if the great struggle had only shown the world the capacity of Italy to make a Titan-like effort for freedom, even this would be something. A wise policy for the future will not reject from its reflections the possibility that next time the giant may be stronger, and that the mountain, half shaken from his heart, may fall.

It is not only, however, as a warning to other nations that the war has left its good results; it has left a legacy of actual, and more of possible, good to the Italians — a lesson which it depends altogether on themselves to make profitable, and hopes which it rests mainly with them to make attainable. It has tended to show the Italians what they are, and what their interests are. It has, we believe, tended in no degree to reconcile them to those great evils which some would persuade them to consider as blessings: bad government — priestly government — despotic government — foreign government. Rather it has left a hearty hatred of all these things; sobered and deepened by the conviction that they are not easily removed. It has placed before them the idea of nationality in a bodily form, and has added to the records of Italy in connexion with that idea many painful, but some proud recollections; as even those who have glanced over our pages must admit. In disappointing many hopes, it may have awakened the wisdom to discern many deficiencies and the determined temper to supply them. Where it has not established good, or the seed of good, it must at least have shaken and weakened evil: and if it has left an anarchic despotism enthroned in the south of the Peninsula, it has left in the north a strong root and nucleus of well-ordered freedom. Amid the desolation which has buried so much, Piedmont stands erect, throwing over the hopes, as over the exiles of Italian liberty, ‘the shadow of a great rock in a weary land.’ Austria holds Lombardy, and is unassailable by direct force; but on the other side of the Ticino there is now a free Italian kingdom. It is impossible to overrate the results which may, and indeed must, follow upon this fact, if lasting; — that millions of Italians are governed, and well-governed, by administrators depending for their permanence on the consent of the representatives of the nation; that in the most powerful of the Italian States, the mouth of the speaker and the pen of the writer are free. Piedmont, actually passing from a despotic to a free government, must become the cornerstone of Italy; and every thing may be hoped for Italy, in case Piedmont should accomplish successfully the difficult transition. Hitherto we have had reason to anticipate her success as confidently as we desire it earnestly. Her freedom is no holiday plant — it has borne some shocks, and shown some strength already, by surviving them.

For, though Charles Albert died of Novara, the ‘Statute’ which he had given to his people did not die with him. The same chamber, which had rashly urged him to war, embarrassed the moderate reforming policy of his successor; but an appeal to the country gave the government the support it

needed, and under their guidance the legislature of Piedmont has since carried those most critical and important measures, the Siccardi laws. After the full details contained in our last Number, we need hardly remind our readers how the Court of Rome snatched instantly at the opportunity of placing itself at once in direct opposition to the State. Church questions are always made perilous by the clamour of one party, if not of the other; and we should regret that Piedmontese liberty had been so early exposed to the ordeal of so critical a question, had not the moderation and steadiness shown by the legislature and the people under circumstances so trying been of the happiest augury for the future. Piedmont is a thoroughly Roman Catholic country, and we anticipate no change in this respect; the quarrel between priestly privilege and good government, does not touch the form of faith. It is enough, that on this question, as on many others, Piedmont represents the life,—the antagonist party the death of Italy. May that life strengthen! And that it may strengthen, let all, who wish it well, aid the Government of Turin in proving that civil liberty can consist with order, and civil improvement with respect for institutions: above all, let the exiles of the Italian cause who have found in Piedmont a generous welcome, show themselves worthy of the citizenship so nobly granted them, whether they sit with Mamiani in her legislature, or, like Monti, hold command in her army. To support the Sardinian Government, and even to shut their eyes to its faults, was the advice of General Pèpe to his liberal friends on the last election in that country. The spirit of this counsel is as necessary as ever. Inexcusable and groundless as an attack from without on Piedmont would be now, its possibility has been rumoured: and though the talked-of gathering of Austrian troops on the frontier may appear to be passing away like a cloud, yet the storm will probably come at last from one quarter or another. No moderation, no caution, no treaties, are likely to do more than defer for a time that final issue.

Meantime, it is of the last importance that the provocation given should be moral only; and that Piedmont should be seen engaged in no plans hostile to her neighbours, nor making herself the Quixote of an idea, though fair as that of Italian unity. The oneness of Italy we are told is a dream. It should be enough, that Italian separation is a fact: and too much, that it is a fact which co-exists with the oppression which reigns at present. Existing Governments, if prudent, would strive to show that the Regeneration of Italy is compatible with such a separation. If not, they may awake to learn that the idea of

union is not a dream. It is a spirit not yet laid; it walks in and out of Italy in many a thoughtful head and burning heart, as well as in those of Giuseppe Mazzini; and in that ease most assuredly, sooner or later, it will once more find an armed body to inhabit.

We have no wish that it should be so, we had much rather it were otherwise; we should infinitely prefer a course of more bloodless, more certain, more permanent improvement. For, peace might yet have her victories in Italy though war has failed. The successful example of Piedmont might be successfully followed; while that example, if rejected, must be fatal to the rejectors. With Piedmont free and well-governed, neither Northern nor Central Italy can long remain enslaved and misgoverned, except by their own fault. All the sternness of Radetsky cannot maintain permanently so great a contrast, all the machinery of the miracle-workers of Rimini cannot cover so great a scandal. Contentment and loyalty ought to be made possible for the educated citizen of a Lombard city. Otherwise,—as long as Piedmont continues to stand out in broad contrast to Austria and Austrianised Italy,—no external power and no internal forbearance can prevent the one free and well-governed Italian State from becoming the refuge, the protector, and, finally, the head and hope of all who aspire, we will not say towards the union but, towards the progress, regeneration, and liberty, of the remainder.

The strength and life of Italy, habitually concentrated in thought and feeling around the one free Italian throne, will group themselves naturally round it in action. Not a hasty and half distrustful annexation under pressing need; not a transitory communion of danger; but a long-earned confidence, and a prepared unity of will and sentiment,—these must be the true preliminaries for combining firmly, under whatever name, the subjects of a North Italian monarchy, or the confederates of a Lombard league. The Pope may not bless their banners: they will dispense with such sanctification: the thaumaturgists of Rimini will curse them, which will be better than a blessing. In that event, some field between the Alps and Apennines, memorable among and above all the memorable names of that battle-studded region, under better auspices and with a closer union, and in a cause more clearly just, may reverse the fortunes and efface the memory of Novara by a second and greater LEGNANO. Then, it may be, will another Radetsky wonder at the fanaticism of Milan or of Brescia, the flag of Piedmont may reappear under the Duomo *not* as a trophy, and an Italy be given to the nations.

ART. IX.—1. *Mornings among the Jesuits at Rome.* By the Rev. M. HOBART SEYMOUR, M. A. Third Edition. London: 1850.

2. *Letter to the Right Hon. the Lord John Russell.* By JOHN, EARL OF SHREWSBURY. 8vo.: 1851.
3. *Cautions for the Times, addressed to the Parishioners of a Parish in England.* By their former Rector. 8vo. London. Nos. I. II. III.
4. *The Pope, considered in his relations with the Church, Temporal Sovereignties, &c.* By COUNT JOSEPH DE MAISTRE. Translated by Rev. AENEAS MC. D. DAWSON. 12mo. London.

ENGLAND, say the Roman Catholics, will inevitably return to her allegiance to Rome, and is rapidly returning even now. This event, indeed, Cardinal Wiseman in his far-famed ‘Pastoral,’ and Father Newman in his equally celebrated ‘Sermon,’ have, after the manner of prophets, and as it were in poetic rapture, represented as history, *un fait accompli*. ‘Catholic England’ (says the former, not very felicitously snatching a metaphor from the heretical philosophy of Galileo), ‘has been restored to its orbit in the ecclesiastical firmament, from which its light had long vanished, and begins anew its course of regularly adjusted action round the centre of unity, the source of jurisdiction, of light, and of vigour;’ and Father Newman thinks that nothing less than the ‘resurrection’ of our Lord is worthy to illustrate the might and majesty in which the Catholic Church in England is bursting forth from the entombment of centuries. ‘It is the sepulchre opening and Christ coming forth.’

The people of England hastily misinterpreting these evidently prophetic visions of the future, into a literal expression of the present, and yet reasonably conjecturing that sober men could not have employed such gigantic hyperboles simply to signify that the Pope had created a Roman Catholic Archbishop and twelve suffragans for the behoof of the minority amongst us who are of the Romish persuasion, and who were rendered neither more numerous nor more important in consequence of that event, were (not unnaturally) very angry; angry that their country should be represented as *not* being what it is, and as being what it notoriously is not; and that their actual religious institutions and convictions should have been ‘ignored,’ as the

phrase is; to say nothing of the insult offered to the majesty of the empire by the breach of laws which had not been repealed, though the penalties had been abolished. Their not unnatural interpretation derived plausibility from the similar *mistake* of the Romanist periodicals, which immediately informed the nation that the only rightful spiritual authority was henceforth centred in the Romanist Hierarchy, and that its bishops and clergy claimed the obedience of every baptized person amongst us, even in spite of his protests and against his will; and all ‘under ‘ pain of eternal damnation.’

But, as Cardinal Wiseman justly says, every document has its peculiar characteristics, appropriate to the species of composition to which it is referrible; and the Cardinal’s Pastoral being evidently *poetry* and the Father’s Sermon *oratory*, and both of them *prophecy*, — in which the future is made present and the distant near, — we immediately arrive at the proper interpretation of phraseology which, too literally viewed, seemed so preposterous and insulting. Had the Cardinal’s language been designed to convey the meaning which it unhappily suggested, nothing would be left for us but to say that Dr. Wiseman can hardly be *that* wise man of whom ‘*The Wise Man*’ says that ‘the wise man’s eyes are in his head.’ If it were possible to suppose that he designed his metaphor to apply to anything but a remote future, he must be convinced by this time that ‘our ‘beloved *country*’ does not pursue her ‘planetary way’ round the sun of the Papacy with much of ‘celestial harmony;’ and that his arduous duty for some time to come must be —

‘To curb this runaway young star,—
This wild colt of a comet, which too soon
Breaks out of bounds o’er the ethereal blue.’

That England is really on the eve of reconversion to Romanism, is a proposition of which the recent enthusiastic demonstrations on behalf of Protestantism might justify a trivial doubt. But we pause at such a conclusion, when we remember the ‘infallible’ truths of which Rome undertakes to be the guarantee, although every *appearance* of argument and reason, and of the very senses is against them. If ‘bread’ may be ‘flesh,’ and ‘wine’ may be ‘blood,’ every proof to the contrary notwithstanding, even so, ‘*mediantibus speciebus*,’ we may be at this moment transubstantiating into Romanists amidst all our disclaimers; perchance we have only the ‘accidents’ of Protestantism remaining.

But whatever be the truth of the hypothesis, we shall assume it, for the purpose of requesting the charitable assistance of Roman Catholics in endeavouring to ascertain fairly and logically what

will be our duty in reference to this realm and constitution of England, when that inevitable hour arrives in which our consciences shall compel us to return to their communion ; and to what extent our State and laws must be *reformed* and *remodelled* in the event of our national conversion. It is in truth a work of comprehensive charity to which we invite them ; nor will they, by promptly performing it, at all retard, but rather accelerate the arrival of that auspicious day when the British Empire shall once more glitter as the richest gem in the Pontifical tiara : for to our certain knowledge, not a few of our countrymen (in addition to some trifling difficulties of doctrine) feel it impossible even to conjecture how to comport themselves, on the adoption of any *known* theory of the infallibility and supremacy of the Roman Church, towards the institutions and laws of their own country, and in relation to those doctrines of intellectual and religious freedom which at present are most ‘surely believed amongst us.’ That there is some bridge over the chasm, or else that the transit is effected *per saltum*, without any bridge at all, is evident from the fact that there are Roman Catholics in this country whose patriotism and loyalty (and we most sincerely say it) we do not for a moment doubt. On the contrary we are strongly persuaded of both.

But that there are many Englishmen who, with their present light could not adopt *their* course, and who would conscientiously feel compelled, if they became Romanists at all, to adopt a much more ultramontane position, is certain. We are ourselves among the number. Still as we have no wish, at the same instant that we become Roman Catholics, to become martyrs also, whether political or religious,—to be hanged for treason against the State, if we abandon our present judgments, or be victimised by perhaps the consistent restoration of persecution, if we retain them, — we must implore our Roman Catholic friends to give us the utmost aid of their famous casuistry in this extremity.*

* A striking example of the utility of *ventilating* doubts is afforded in a recent pamphlet by Mr. H. Drummond. He had occasion some years ago to refer to the highest authority among the Jesuits at Rome on the subject of the ‘real presence,’ in which he was in some sort, we presume, a believer. The Jesuit told him he must believe that there was *no* bread present after consecration. Mr. Drummond asked whether, if the bread were chemically analysed, the ashes would contain animal and not vegetable products? The father had the grace to *blush*, but replied, that ‘if such an act of profanation were to be committed, no doubt the holy presence would be withdrawn, and the elements would be as they were before.’ A

We have said, and sincerely, that we do not for a moment question either the loyalty or the patriotism of the mass of our Roman Catholic fellow-subjects. We believe that, whether consistently or not, they would be as ready as were their Roman Catholic ancestors, or as are their Protestant contemporaries, to resist any aggression on the civil or political supremacy of England, or any attempt to reverse those great principles of perfect religious liberty which are at present triumphant amongst us. In their own persons, we conceive that they are not *likely* to be troubled with the same difficulties, because they accept from childhood the inconsistencies in question, and in fact never think about them. In fact, the great body of the Roman Catholic laity know very little about their system; and, as often happens, the practical conduct of those who *do* know it, is far better than their speculative principles. Many Protestants further flatter themselves that the very contiguity of Protestantism — the salubrious air of freedom — has had a beneficial effect upon British Romanists; ‘They have the ‘disease,’ it is said, ‘no doubt; but they have taken it mildly; ‘they have been *vaccinated*; the old and virulent malady has ‘passed into the gentle varioloid type. They in fact differ far ‘more from the Italian or Spanish Romanist, though the differ-‘ence is one of *species*, than they differ from the English Pro-‘testant, though the difference is professedly one of *genus*. ‘Though Roman Catholics in name, they are in reality a sort of ‘unprotesting Protestants; they thus do and say in all sincerity a ‘thousand inconsistent things; and heartily approve of doctrines ‘and principles of which they neither could nor would approve, ‘if they were the inhabitants of a country in which Romanism ‘is the predominant religion, and in a condition to realise its ‘genuine theory and distinctive principles.’ Thus Protestants argue.

However plausible or irrational this mode of accounting for the phenomenon may be deemed, it does not at all relieve those of us who feel puzzled how to deal, on any of the *known* theories of the Roman Church, with certain formidable dogmas which *seem* inconsistent with our loyalty and patriotism — our reverence for intellectual and religious freedom. As we would far sooner accept a base coin than a fallacious argument, and

word spoken in season, how good is it! A convert might have been troubled with the difficulty for twenty years, without ever thinking of so obvious a solution! In fact, however, we would humbly suggest whether there was not another answer open to the reverend father, namely, that the *ashes* were transubstantiated as well as the *elements*.

cannot consent to soothe our conscience with any cataplasms of opium, we must again appeal for aid to our Roman Catholic friends.

It remains of course to be said, that if that aid is to be effective, it must consist not in the assurance that this or that learned ‘doctor’ says we safely may take *his* opinion. We put no faith in the doctrine of ‘probable opinion’ as laid down by Pascal’s Jesuit father; ‘You may follow this or that man with safety, for they are excellent casuists.’ This is but referring us back to our own Protestant device of ‘private judgment.’ What we request is some unquestionable *proof* in the shape of authoritative declarations, by some universally admitted organ or organs of the Romish infallibility, that the scruples in question are chimerical.

‘What are some of these difficulties?’ we imagine we hear a reverend father reply.

We will endeavour to explain them. But in order that we may not be supposed less open to conviction than we are, we must first premise that none can be more convinced than ourselves of the truth of the declaration which we often find on the lips of Roman Catholics, that ‘there is no better rule than that of an infallible Church.’ This we think certain; the difficulty with us is to discover the infallible Church, or, if we suppose the Church of Rome to be it, in knowing to whose hands the infallibility is confided; within what limits the utterances of that organ *are* infallible; and what are those infallible utterances themselves.

Most unhappily, the Romanists are divided on these preliminary points themselves. The incongruity of this, perhaps, scarcely strikes their minds, for they are accustomed to it; but to Protestants there is hardly any difficulty more insuperable than the idea of a *variable constant* — an infallibility which is uncertain as to its seat, its limits, and its results. It is certainly an unfortunate aggravation of the difficulties of our conversion that the very principle, which is chiefly designed as our harbour of refuge against the fluctuations of private judgment, should thus not merely be the subject of controversy, but in fact itself be virtually submitted to the decisions of ‘private judgment.’ ‘Est in successu longo locus,’ the Romanist exclaims: the infallible Church is a safe retreat; in that deep bay, ‘æquora tuta silent;’ but no sooner does the inquiring Protestant congratulate himself on* having here escaped the tossing billows, than he will find himself riding in the Bay of Biscay; the roadstead, he declares, is more dangerous than the open sea. ‘The Church,’ says the Romanist, ‘is infal-

'lible ; and in that blessed truth you must repose : it is true, ' we do not know exactly where the infallibility resides, nor, ' consequently, all which that infallibility has declared : we ' differ in opinion upon both these points ; and those of us who ' have decided upon some one criterion of the infallibility are ' also not quite agreed as to what is declared "*de fide*," or "*ex ca-
thedrâ*," and what is not.' On this the Protestant is apt to re-
join, that though it were granted, that nothing is more infallibly
true than that the Church has infallibility ; yet as its seat, extent,
and decisions vary with fallible opinions, it were better, instead
of saying that the Church is favoured with an infallible judge
of truth, to say that each member of the Church is privileged to
become a fallible judge of infallibility. There *may* be a judge
of infallible truth, but unless we know who he is and what he
says, we are still in the dark. The Romish Church are agreed
about this, that there is *something* infallible ; but what, or how
discovered or expressed, its members constitute themselves
separate judges, and form different judgments ; and upon each
of the theories of that infallibility, the Church has affirmed
much, which every *other* theory of that same infallibility induces
its advocates to reject.

But waiving these preliminary difficulties, and approaching a little nearer to those which this essay is chiefly designed to pro-
ound, the theories of infallibility are at all events reducible to
four ; and on *any* of them which is at all intelligible, — for one
there is which is not so, — it appears at present to many
Englishmen that the infallible oracle has expressed itself on one
or more of the questions already adverted to, in a manner which,
unless Romanists remove their doubts, must operate as a serious
bar to their conversion. It will not be necessary to specify the
many points in dogmatic or speculative theology, in which, as it
seems to Protestants, the various utterances of the infallible au-
thority, on *any* of the proposed theories of its existence and exer-
cise, have been contradictory ; and which are still more numerous,
on the supposition of there being *several* such theories. These
'variations,' as Bossuet would say (apparent, of course) it may
be desirable to mention more at large at some future time, in
pursuance of that same charitable design now contemplated, —
that of inducing Romanists to solve our difficulties as an indis-
pensable condition of our desired conversion. But at present it
is only necessary to refer to those questions in which the diffi-
culties come athwart our duties as loyal and patriotic citizens
of a free and independent State, like England ; nor shall we
deem it necessary to refer to the whole even of these. Mean-
time, we conceive we shall have done the Church of Rome

signal service if we can induce any of her champions to prove, not by the ‘private judgment’ of this or that author, but by an authoritative declaration of all her supposed organs of infallibility — for her varying *criteria* of infallibility render this necessary, — not only that she does not, but never did, assume any rights inconsistent with our loyalty and patriotism ; we say never *did* — for again, by the peculiar nature of the case, this also is necessary ; since if Rome be infallible, and has ever affirmed any of these rights, she has affirmed them for ever. Now the several theories of infallibility to which, as Protestants affirm, ‘private judgment’ has unfortunately conducted the infallible church, are these ; that it exists either in the Pope alone, or in a General Council alone, or in a General Council and Pope conjointly, or in the Universal Church diffusively.*

* Mr. Hobart Seymour, in his ‘Mornings among the Jesuits at Rome,’ gives an amusing account of the perplexity to which the Professors of Dogmatic Theology and of the Canon Law *seemed* to be involved by his challenge to them that they should prove that the Church of Rome in any decree of Council or bull of Pope, in any canon or article, had asserted her own infallibility. The reverend Professor of Theology, after several operose attempts to construct a syllogism, designed to prove that the Church of England was not the Church of Christ, from the absence of all claim to infallibility, succeeded, as he imagined, thus :—

‘The Church of Christ in all her parts claims infallibility ;
The Church of England does *not* claim infallibility, —
Therefore the Church of England is not the Church of Christ.’

Mr. Seymour says, that he retorted the argument by proving that the Church of *Rome* is not the Church of Christ ; simply substituting ‘Church of Rome’ for ‘Church of England,’ in the minor premise and conclusion, and challenging the Jesuits to show (which they acknowledged they could not) any bull, decree, canon, or article, expressly claiming infallibility for the Church of Rome. Jeremy Taylor had employed much the same argument in reference to the alleged infallibility of ‘General Councils ;’ namely, that they had never claimed it for themselves, and that, therefore, if infallibility be supposed to belong to any of their decrees, it is imputed to them on less authority than that which establishes the decrees themselves. ‘There is no General Council,’ says he, ‘that hath determined that a General Council is infallible ; no Scripture hath recorded it, no tradition universal hath transmitted to us any such proposition ; so that we must receive the *authority* at a lower rate, and upon a less probability, than the *things consigned* by that authority.’ Mr. Seymour’s Reviewers, after consultation with the Jesuits at Rome, (see last edition) acknowledge, that the Church of Rome has never

The last is the theory which is *not* intelligible. The Universal Church resembles some gas, enormously voluminous and elastic ; it has no visible dimensions ; no tangible solidity. It is a nebulous matter, of which the orb of truth may be *a-making*, for aught we know, but of which it has never yet been made. On this last hypothesis it is not worth while for Protestants or Romapists to argue ; both because *this* infallibility, if it exist, is an ‘ infallible ’ nonentity, there being endless disputes as to *all* the parties who are conjointly competent to decide what is infallible truth ; and because it is impossible, even if this point were decided, to collect the votes which are to constitute this infallible truth.* Whether we deny or concede this infallibility, it makes nothing to the controversy ; simply because it affirms nothing, it demonstrates nothing, except its own absolute impotence to demonstrate anything. It is a sort of ecclesiastical Pantheism ; each member of the Church is a fragment of a collective infallibility which, in fact, is never collected, nor ever can be. All that can be intelligibly said is, that the Church would be

formally claimed infallibility, but ‘ that the Church expresses her ‘ *claim* to infallibility by all her dogmatic facts and documents in ‘ which this principle and tenet is either *implied*, *supposed*, *embodied*, ‘ *alluded to*, *insisted upon*, or more or less expressed.’ This is a sort of *constructive* infallibility. For our own parts, since every Roman Catholic we know does claim infallibility on behalf of the Church of Rome, we are quite willing in the present article to argue on the theory that *she* assumes it, and must profess that we believe her infallibility as much as if she had formally defined and affirmed it ten thousand times. But we apprehend that it must be received (if received at all) as an intuition, not as a product of syllogisms. Alas ! so incompetent are Protestants to argue after the fashion of the worthy Professor of Canon Law, so distrustful are they of syllogisms of every mood and figure in which ‘ infallibility ’ enters as the middle term, and mere ‘ humanity,’ in any conditions, as the extremes, that they would probably even venture to take the altered syllogism proposed by Mr. Seymour ; alter it still further, by making the major premise negative, and the minor positive, and still venture to affirm the validity of the conclusion. Thus,—

‘ The Church of Christ does *not* claim to be infallible,—though HE does :

‘ The Church of Rome does claim to be infallible ;

‘ Therefore the Church of Rome is not the Church of Christ.’

* Jeremy Taylor says : ‘ But if there could in this case be any distinct consideration of the Church, yet to know which is the true Church is so hard to be found out, that the greatest questions of Christendom are *judged*, before you can get to your *judge* ; and then there is no need of him.’

infallible in its decisions, in case it ever made any ; but what they would be, is absolutely uncertain. If, therefore, there be no other infallibility—if it be not collected and expressed by appropriate representative organs, there is no infallibility at all ; each man is left to conjecture what would be the utterance of this mute oracle, supposing it but to have the faculty of speech. At best, its condition is like that of the youthful speaker who, in modest confusion, stammered out to his audience that ‘a certain ‘author,—whose name he had forgotten,—had, in a certain ‘book—the title of which had escaped him,—made a profound ‘observation—the purport of which he unfortunately could not ‘recall,’—after which lucid statement of ‘infallible truth,’ he sat down.

We shall therefore dismiss, as unworthy of any farther examination, this shadowy theory of infallibility, and confine ourselves, as the generality of candid, and all intelligent advocates of the Romish Church do, to one or other of the theories already specified ; that of the Pope without General Councils, that of General Councils without the Pope, or that of Pope and Council in conjunction. Now, whichever of these we take, English Protestants are apt to feel suspicions that by distinct de-crees of Popes *or* Councils, or of Councils *and* Popes, this authority has asserted, in the expression of its own infallible mind, principles to which, as loyal and patriotic Englishmen, they cannot subscribe ; or if it has *not* asserted them, it is very difficult or rather impossible to tell what it *has* asserted ; and the infallibility itself becomes a chimera.

To take, then, first the hypothesis of the infallibility of the Pope alone.—Has he or has he not ever assumed, as of divine right and by distinct utterance, a universal authority over temporal sovereigns — whose crowns, if they are heretical and contumacious, he can take away, and give to others—and whose subjects he can release from their oaths of allegiance ?

To this question many Romanists will say —‘The Pope is indeed infallible—but only when he decides *de fide* and *ex cathedrâ*.’

The Protestant will probably reply, 1st, ‘I shall know what you mean, when you have defined what is *de fide* and what *ex cathedrâ*. This is one of the many points, in which diversities are produced by your indulgence in that forbidden luxury of private judgment. 2ndly, It is most certain that the arbitrary limitations of pontifical authority which *some* of you would thus impose are not sanctioned by an immense number of those who have held the theory of infallibility now under consideration,—of multitudes of your most learned and most

able theologians and canonists from the time of Gregory VII. to the present day. The contrary has been the prevailing sentiment of the Jesuits—the most glorious and most numerous order of which your church can boast. Ascriptions of unlimited power as the rightful prerogatives of God's infallible Vicegerent on earth are to be found in the works of such writers as Aquinas, Bellarmine, and Baronius. What names can be greater than these?"*

But the Protestant may proceed : ' I dwell not on this ; I lay no stress upon any counting of majorities or on catena of writers, though they sufficiently prove that you are hopelessly divided about what is Pontifical Right and what is not ; I will take the most moderate of you who hold this first theory of infallibility. You assume it within *some* limits.'—' Certainly,' the Romanist will answer. ' Those limits,' the Protestant suggests, ' are spiritual matters ? ' ' They are,' rejoins the Romanist. ' Is not the infallible interpretation of the meaning of the Scriptures one part, and the chief, of this legitimate province of infallibility ? ' ' Undoubtedly,' is the reply ; ' it is its peculiar and most resplendent prerogative.' ' Very well,' urges then the Protestant : ' but what, if infallibility, as defined by this first hypothesis, can be shown to have defended the political paradoxes now under consideration,—not by an unauthorised extension of its province, (though it may seem a curious infallibility which does not know within what limits alone it is infallible,) but by direct exposition of passages of Scripture,—in the exercise of that very faculty which is affirmed to be its most celestial gift. If so, (and it is a point which ecclesiastical historians, and even papal champions, have hardly made enough of,) what then are we Protestants to do on this *first* theory of infallibility ? '

Nor, in order to show that Popes *did* challenge the lofty prerogative in question from Scripture, is it necessary to cite the bulls and decretals of any of those whom Baronius himself styles ' monsters of iniquity,' and in whose character he finds an ingenious proof of the more than human origin of that system which even they could not destroy ;—an argument which Protestants contend admits of an alternative ; for the system might be more than human, yet not *therefore* divine. But, to

* ' The sublimity and immensity of the Supreme Bishop is so great, that no mortal can comprehend it,' says Cassenæus ; and in this last sentiment, perhaps, the Protestant would acquiesce ;—' No man can express it, no man can think it ;'—a sentiment which will also have the advantage of uniting the suffrages of both parties.

waive altogether these very singular depositaries of infallibility:—it is not necessary, we say, to appeal to any other than pontiffs who, as far as their *personal* character is concerned, were no disgrace to the Papacy; and who, if scripturally justified in the assumption of the paramount prerogatives they claimed, are also acquitted of the charges of pride and ambition; who, if deluded by their infallibility,—we must be indulged in the paradox,—seem to have been very sincerely deluded; but who, by that very sincerity, render it all the more difficult to discriminate among their claims. Now, if we listen to some of these, in their assumption of the ‘*plenitudo potestatis*,’—in their most solemn acts of supreme authority, as in the deposition of monarchs and the transfer of crowns,—in their decrees or their bulls issued for these objects,—we see that they claim, on the express interpretation of that Scripture, the infallible interpretation of which is their peculiar function, an absolute and universal sovereignty, temporal as well as spiritual. Two or three instances of the peculiar solemnity of their language will suffice, though, as all readers of ecclesiastical history are aware, the same claims were perpetually made, and what is more, *acted upon* for ages.*

Thus speaks perhaps the greatest of the Popes, Gregory VII.: ‘When God gave to Saint Peter the power “to bind and loose ‘“in heaven and on earth,” (Matt. xvi. 19.) He excepted no ‘person, He withdrew no thing from his power,’—*nullum excepit; nihil ab ejus potestate subtraxit.*’ Gregory goes on expressly to claim secular authority:—‘Quod si sedes Apostolica divinitus ‘sibi collata principali potestate spiritualia decernens dijudicat, ‘cur non et sacerdotalia?’

Of the depth of his own convictions on this point, he gave a remarkable proof, when, after the first excommunication and deposition of the Emperor Henry IV., Hermann, Bishop of Metz, wrote to the Pope to say that many thought that it was not a justifiable act, and to request arguments whereby to refute the gainsayers. Gregory, in the most deliberate manner, refuses to

*. The original Latin of the few passages here cited may be found in Gieseler’s ‘Ecclesiastical History,’ Period iii. Div. iii. Ch. i., where (and in other portions) the reader will find plenty more. It is a most valuable work, as giving the original documents in proof of every statement. A large collection of passages from public documents and private authors, asserting the absolute supremacy of the Pope, may be found in Barrow’s celebrated work. Well may Gibbon say, speaking of Gregory’s promised donation of kingdoms in Greece and Asia to Robert Guiscard, ‘I cannot understand why Gretzer, and the other Papal advocates, should be displeased with this new instance of Apostolic jurisdiction.’ No, truly; it was quite in order.

comply, because, he says, his acts are so plainly warranted by Scripture:—‘As to what you have asked, that you may, by some writings of ours, be assisted and fortified against the madness of those who, with wicked mouth, prate that the authority of the Holy and Apostolic See cannot excommunicate King Henry, that despiser of Christian law, &c., nor absolve any subject from his oath of allegiance,—it does not appear to us necessary, *since so many and such most certain proofs of this may be found in the pages of the sacred Scriptures.*’ In the most solemn prayers, Gregory, on the two occasions of the excommunication and deposition of Henry, appeals to all in heaven that he was exercising inviolable rights, of which he seems to be conscious that lie enjoyed a divine investiture; and on the latter occasion, after sentence, breaks out into the singular passage, ‘So act your parts, then, ye chiefs of the Church, that all the world may know and understand, that if ye have power to bind and loose in heaven, ye have power on earth to take away and to grant, according to desert, empires, kingdoms, principalities, dukedoms, marquisates, countships, *et omnium hominum possessiones.*’ Then comes the reason, from the truly serviceable texts, (1 Cor. vi. 3, 4.)

In like manner Innocent III., in his celebrated proceedings against John of England, says, ‘Jesus Christ, the King of Kings, and Lord of Lords, a High Priest for ever after the order of Melchizedek, has so established a kingdom and a priesthood in his Church, that the sacerdotal office is itself a kingdom, and the priesthood regal, as *Peter in his Epistle, and Moses in the Law testify*, appointing over all things one alone whom he hath ordained his Vicar on earth; *unum præficiens universis, quem suum in terris Vicarium ordinavit.* . . . Him earthly kings (for God’s sake) are so to venerate, that they are not to think they justly reign except as they study devoutly to obey him.’

The justification of the theory of the subordination of the royal to the pontifical power derived from the ‘two great lights’ in Genesis, insisted on by Gregory, and further expanded by Innocent III., is familiar to all students of ecclesiastical history; as also the comprehensive criticism on Peter’s ‘two swords,’ and on the text about ‘planting’ and ‘rooting up,’ &c. &c.

It were easy to multiply passages of this kind from the decretals and bulls of many other popes—of Adrian IV., of Alexander III., of Gregory IX., of Boniface VIII., of Pius V.—but it is not necessary. The rights in question were assumed and justified as legitimate deductions upon Scriptural authority, and were acted on in scores of instances and for the space of ages. It may be difficult, indeed, to see always the *justness* of

the scriptural exposition; though the exgesis must, we think, be conceded to be quite as clear, and the deductions quite as undeniable as those by which the supremacy and prerogatives of the entire succession of Romish bishops are demonstrated from such texts as, ‘I say unto thee that thou art Peter,’ &c., and ‘Feed my sheep.’ Criticisms by infallibility are always peculiar. Could we in reason expect them to be otherwise? *

Now either the Popes erred in thus interpreting Scripture or they did not. If the latter, then at least on *this* theory of infallibility (and Protestants affirm that ‘a difficulty of a *like* kind will attend every remaining theory of infallibility), we must admit the ‘plenitudo potestatis,’ concede the extreme ultramontane theory, and become proselytes to Rome and traitors to our country at the same time. If the former, then on *this same* theory, the Popes, so far from having been unfailing interpreters of Scripture, have been, in their numerous acts of deposition, enormous perverters of it, inculcating and practising for ages the most comprehensive violations of the plainest precepts of the divine law. So far from its being true that the Pope is the ‘infallible living interpreter’ of Scripture, it is absolutely ludicrous to style him so; and so far from being

* Some are disposed to account for what appear these precarious interpretations of Scripture by supposing the Popes of the Middle Ages to have been misled in their interpretations through the errors into which the pretended ‘Donation of Constantine,’ the ‘Pseudo-Isidorian Decretals,’ and other acknowledged forgeries, deceived their infallibility. But if so, Protestants are apt to say that their infallibility was of a peculiar character, since it could see the meaning of the deepest and most mysterious passages of Holy Writ, and could *not* see the falsehood of the most transparent and impudent forgeries; or, rather, that on such supposition they made the false decretals the rule of Scripture interpretation in these cases! Far from us be such a supposition. With regard to their not detecting the forgeries,—infallible as they were,—perhaps a candid inquirer might make some excuse for them. As Pascal’s Jesuit father tells us that it would be a sin in a judge to receive a bribe for giving a *just* sentence, inasmuch as that would be *selling* justice, but that it does not follow that it would be unlawful to receive a bribe for giving an *unjust* sentence, inasmuch as it is not forbidden to sell *injustice*; so, in a somewhat similar manner, the Pope might infallibly interpret *Scripture*, for that (as they say) was his proper office; but he was not obliged infallibly to interpret forgeries. Again, it may be urged, that infallible eyes, like other eyes, are doubtless made to see in the light and not in darkness: and hence no wonder that the Popes, in dealing with forgeries, chanced to be mistaken. But it is certainly unfortunate that they should have attempted to reinforce their infallibility, and, as they allege, their scripturally-derived rights, by such authority.

disposed to ask, with Jeremy Taylor, ‘What excuse is there in the world for the strange uncharitableness or supine negligence of the Popes that they do not set themselves in their chair and write infallible commentaries;’ or with Chillingworth, ‘Why the Church thus puts her candle under a bushel, and keeps her talent of interpreting Scripture infallibly, thus long wrapt up in napkins,—Protestants will be inclined to declare that the specimens of papal criticism and exegesis already given to the world are quite sufficient, and that they willingly excuse any more extensive assumption of this special prerogative. The Church, they will add, may felicitate herself that the great living interpreter seldom interprets. Equivocal as may have been many of his employments, they could hardly be more disastrous to the Church than his attempt to discharge his proper functions.

To resume. The Protestant will further say;—let us suppose that by a variety of limitations (concerning which, however, and their application, we must request the Romish Church for authoritative rules, and not this or that opinion that they exist and *may* be applied,)—let us suppose that by a variety of limitations, it may be doubted whether any such bulls and decrees as those just adverted to were pronounced *ex cathedrâ*, or can properly be represented as *de fide*, or whether they are not vitiated by the application of one or other of the ‘seven’ tests mentioned by the Professor of Canon Law to Mr. Seymour,—then it will appear that the ultimate rule of the Romish Church—which excludes all private judgment—is an infinite enlargement of its duty; and with this unspeakable perplexity attached, that infallibility is not to be the guide of ‘private judgment,’ but private judgment is to be the discoverer of infallibility! The Bullarium is infinitely more bulky than the Bible; is composed in a dead language, not always in ‘infallibly’ correct Latinity; contains much of acknowledged, and much of suspected, spuriousness; and much more, which, though not spurious, is unintelligible, or, which comes to the same thing, is unhappily intelligible in two or three different senses; in a word, infinite matter for dispute, as regards both text and interpretation. And supposing such difficulties vanquished or eluded, it is still necessary to apply to a genuine bull the seven following tests to constitute them infallible:—1. It is necessary that before composing and issuing the bull, the Pope should have opened a communication with the bishops of the Universal Church, and solicited their prayers that the Holy Spirit would infallibly guide him. 2. That the Pope should carefully seek all *possible* and *desirable* information touching the *matter* of the bull. 3. That the bull should not only be formal

but authoritative, and claim to be so. 4. That the bull should be promulgated universally. 5. That it should be universally received. 6. The subject matter of the bull must be one *touching* faith or morals. 7. That the Pope should be free. Protestants will be apt to say that to ascertain all these conditions would require them to be infallible as the Pope himself, and that some of them, indeed, could not be ascertained without ~~express~~ inspiration; that if he is to be infallible, they must be omniscient. For our own parts we are less rigorous; and profess that we are not unwilling to say that we shall ~~hunibly~~ receive *all* the Bulls as infallible, of which we can ascertain the above particulars. But most of our Protestant countrymen, we fear, will not be equally docile; they will say that it is an infinite enlargement of the inevitable duty of private judgment; and that the very process of their conversion would require more than patriarchal longevity to effect it. We are not surprised, therefore, that the worthy Jesuit professor proposed that ~~curt~~ solution of referring the private individual to his *bishop*—or rather to his *parish priest*. The Protestant, we fear, will still reply—1st. That this is to make each bishop and priest infallible, instead of the Pope; and, 2dly, That the individual will be obliged to believe many and opposite infallibilities, since priests and bishops are not agreed as to *what* the Pope has delivered *ex cathedrâ*. *

In this way, will Protestants say, you do indeed free us from all our *political* doubts as to the supremacy of the Pope over us, but you reduce us, at the same instant, to surrender all hope of finding the Romish Church infallible. But yet farther, the Protestant will continue,—Be it so, that by some logical contrivances (in which, however, there will be boundless scope for ‘private judgment’ among the ultramontanists and the opposite party), the infallible head of the Church simply *erred* in supposing the above interpretations of Scripture correct; that somehow they are not *ex cathedrâ* interpretations; still, surely, it is true that the Pope *thought* that he was right in thus interpreting Scripture; and yet, it seems, he was infallibly wrong. When shall we be sure then that he is infallibly right, except by the above *impossible* exercise of private judgment?

* Jeremy Taylor, after noticing a great variety of hair-breadth escapes from *apparent* decisions in the Decretal Epistles, on the ground that they are not *de fide*, droshly exclaims, ‘And this serves their turns in every thing they do not like; and therefore I am resolved it shall serve my turn also for something, and that is, that the matter of the Pope’s infallibility is so ridiculous and improbable, that they do not believe it themselves.’

Further still ; putting the question of Scripture interpretation quite out of sight, either the Pope erred in assuming his enormous 'rights' over sovereigns and nations, or he did not. If he did not, we still owe him the plenitude of 'allegiance' he has so often demanded. If he did, he yet actually thought himself infallibly right in his assumptions ; and the question comes, if a Pope can err thus terribly, under the mistaken notion of his infallibility, what is its value ? or rather, what will not be the absurdity of an infallibility which is thus ignorant of ~~its~~ own limits ? which is so singularly self-ignorant that it ~~seems~~ itself infallible not only in matters in which it *is* infallible, but in which it is most obviously and enormously in error ? Since it assures us that it is infallible when it is not, who shall assure *it* that it is infallible at all ? Such an infallibility comes to much the same thing as no infallibility. It is as if a man should be admitted to be infallible in the mathematics, but somehow took it into his head that chemistry, botany, carpentry, and shoemaking were all parts of mathematical science. This would prove, we suppose, that he was infallible neither in the mathematics nor in any of the other things which he so strangely mistook for them. Hence Cardinal Perron, when struggling against his compatriots concerning the limit of the 'Gallican Liberties,' very consistently refused to condemn the doctrine of the Pope's deposing power on the ground that, as it had been *asserted and acted upon by so many Popes*, the supposition of its falschood must have a most ominous aspect on the claims of the Church of Rome. And he was consistent, say Protestants.

For an infallibility thus ignorant of its own limits, most persons would be apt to say the world has paid rather dearly ; that the Pope's political mistakes are hardly compensated by his spiritual indefectibility ; that the perspicacity and splendour of his critical and expository efforts, from the time of Gregory the Great's work on Job downwards, are but an indifferent set off against the dethronement of monarchs, the disturbance of kingdoms, and the turmoils in which for ages his too erring infallibility has kept the world : that invaluable, for example, as may be the gloss which discloses to us the unsuspected meaning of the text about Peter's two swords, a meaning which the world, it is admitted, would never have discovered for itself, yet that it is a considerable deduction from such inestimable benefits, that the infallibility has, in effect, played its possessor such strange pranks, and inflicted, by its *quasi-utterances*, such enormous mischiefs and miseries on mankind. If the Pope has erred in the many instances in which he has deposed monarchs,

disposed of crowns, laid nations under interdict and occasioned political disturbances, Protestants are apt to surmise, that if he be a successor of Peter at all, he must have succeeded to him at the critical moment in which the Master said to him, ‘Get thee behind me, Satan, for thou savourest not the things that be of God, but the things that be of men ;’ and that ‘if his faith have not failed,’—according to the promise he pleads,—his ‘reason’ has assnredly given way.

It would be a futile distinction to make, that the claim to universal dominion, as an adjunct of spiritual supremacy and infallibility, was restricted to *dark ages*; for, not to insist that infallibility, even in dark ages, is still infallibility, he who should urge such an argument would show but a superficial knowledge of ecclesiastical history. The ultramontane theory (in our judgment by far the most consistent) may have somewhat altered in *form*, but in *substance* it has been always the same. Nor was it ever developed more elaborately or with more subtlety than towards the close of the sixteenth and the beginning of the next century, by the skill of the ablest writers of the most distinguished ORDER the Church of Rome has ever boasted. Bellarmine secured for the Papacy, by the *indirect* temporal power, what Gregory VII., or Innocent III., or Boniface VIII., would have appropriated more inartificially, but most instinctively, without troubling themselves with any such theoretical refinements. ‘That,’ says Ranke*, ‘which was asserted in England in the heat of the struggle, was repeated by Bellarmine in the solitude of his study, in elaborate works, in a connected well-digested system. He laid it down as a fundamental maxim, that the Pope was placed immediately by God over the whole Church, as its guardian and chief. Hence the fulness of spiritual power belongs to him; hence he is endowed with infallibility; he judges all, and may be judged by none; and hence a great share of temporal authority accrues to him. Bellarmine does not go so far as to ascribe to the Pope a temporal power, derived directly from divine right †; although Sixtus V. cherished this opinion, and was consequently displeased that it was abandoned; but so much the more unhesitatingly did Bellarmine attribute to him an indirect right.’

* Vol ii. Book vi. § i. The whole section deserves careful study.

† *Bellarminus de Romano pontifice*, v. vi.: ‘Asscrimus pontificem ut pontificem, etsi non habeat ullam meram temporalem potestatem, tamen habere in ordine ad bonum spirituale summam potestatem disponendi de temporibus rebus omnium Christianorum.’

The same views substantially are maintained by De Maistre, the most strenuous defender of the Papacy in our times, in his work entitled ‘*The Pope*,’ a translation of which has just been published in this country. This intrepid champion contends that the Popes have never erred *de fide* — whatever that somewhat dubious phrase may mean — and chivalrously defends even the cause of Liberius and Honorius; holding, moreover, essentially the same views as Bellarmine (though he declines expressly to endorse the phrase ‘*indirect right*’), of the Pope’s universal sovereignty, as an *indirect consequence* of his absolute spiritual supremacy. He therefore justifies (and consistently) the political conduct of the Popes, almost without exception, from Gregory VII. to Pius V.*; the *mode*, he admits, of papal action in such matters may and must vary in different ages; but even the mode was right for those ages, and the principles which dictated them are sound in all ages. He suggests, in conformity with his principles, that it would be wise of the moderns to imitate their forefathers, by submitting national disputes to the paternal adjudication of the Holy See; and after laying down an hypothetical case, in which a nation, wishing to cashier its royal family, requests the Pope to provide them with another, remarks, how much better this would be than appealing to any of the modern methods of untying such knots! On the supposition that the Pope is really God’s Viceregent on earth, the hypothesis is reasonable enough; no one would object to a despotism administered by an archangel. But, unhappily, to say nothing of the distance of such a court of appeal, the difficulty of enlightening its judgment on matters wholly foreign to it, and the fear of wasting its sacred time in an everlasting series of political investigations, the nations are still disposed to doubt whether the history of the Holy See presents to us, in its several administrators, those proofs of infallible knowledge, that superiority to earthly passions, that perfect exemption from intrigue and manœuvre, rapacity and ambition, which would make it safe to submit to such an appeal; notwithstanding the three guarantees of ‘age, celibacy, and the priestly character,’ which De Maistre assures the world are our security. The nations would be apt to fear lest the appeal, instead of appeasing should but ‘embroil the fray,’ and that, as in the middle ages themselves, the *decisions* of infallibility should still have to be *decided* by an appeal to arms. However, he distinctly enunciates his

* Of the extent to which he carries his zeal readers may judge, when we say that he sees nothing to be ashamed of in the bull ‘*In cœnâ Domini.*’

principles in the following, among many other, passages :—
 ‘ Those writers (the French particularly) have taken upon themselves great responsibility, who first broached the question whether the sovereign pontiffs possess the right to excommunicate sovereigns, and who dilate upon *the scandal of excommunications* generally. Wise men are best satisfied to leave certain questions in salutary obscurity.’ (P. 173.) ‘ There is nothing more reasonable, nothing more plausible, than a moderate influence of the sovereign pontiffs over the acts of princes.’ (P. 181.) The argument of fact on behalf of the papal claims to temporal superiority he puts thus strongly :—‘ Now if there be an indisputable fact, attested by all the monuments of history, it is, that the Popes in the middle age, and even long before that period, exercised great power over temporal sovereigns ; that they judged them, and excommunicated them, on certain great occasions, and that not unfrequently they even declared the subjects of those princes loosed from their oath of fidelity towards them.’ (P. 178.) The force of circumstances gave the Popes of the middle age ‘ an undisputed title to that superiority which, at the time, was indispensable. The true principle, *that sovereignty comes from God*, strengthened besides those ancient ideas, and there came to be formed an opinion, almost universal, which attributed to the Popes a certain jurisdiction over questions in which sovereigns were concerned. *This opinion was quite sound, and certainly far better than all our sophistry.*’ (P. 185.)

‘ We have seen that the sovereign pontiff is the natural chief, the most powerful promoter, the great *Demiurgus* of universal civilisation ; his powers, in this respect, have no other limits than the blindness or the evil dispositions of princes.’ (P. 237.)

And, in our judgment, all this is consistent ; for if the extreme ultramontane theory be not true ; if the Popes have not that universal sovereignty, direct or indirect, which many of them have claimed, and for ages exercised, and of which such vast numbers of their adherents have been the advocates,— then the errors into which the Church of Rome has fallen are so enormous, and her usurpations so comprehensive, that her indefectibility *de fide* will hardly be a counterpoise for her errors in practice. On the supposition, therefore, of it so happening, that our Roman Catholic friends should be able to effect our conversion to their religion, we shall, for our own part, hardly stop short of the theory of De Maistre.*

* The whole of Book II. will prove a curious study to Englishmen, and not unprofitable, especially Chapters vi.—xi., inclusive. We

Such are a few of the difficulties in the way of receiving this first theory of the Romish infallibility in relation to its single bearing on our duty as citizens. If we receive this theory at all, nothing, we conceive, but the extreme ultramontane theory could or ought to satisfy us; if we do *not* allow the deposing power of the Pope, we can exclude it only by a process which leaves *any* infallibility in a very tattered condition.

As to the two *latter* theories of infallibility, — that derived from a General Council*, and that from a Council and Pope

know of no writer on argumentative subjects whose logic is more frequently aided by a vivacious *imagination*, nor any who approaches the most formidable historical impediments to his conclusions with a more dauntless *courage*. He tells us, that when Pascal and Bossuet say any thing contrary to the true theory of the papal supremacy, their authority, splendid as it is, goes for nothing; when they speak in accordance with it, it derives all conceivable force from their undoubted genius. But we are afraid they would rejoin: ‘Whether De Maistre’s view of the *true theory* be the *true* view is a point in dispute.’ Thus for ever is the ‘Church’ apt to be obtruded by each particular advocate, when in reality it is ‘private judgment’ which is seated in the chair.

De Maistre has one chapter on ‘*Protestant Evidences*’ in favour of the Catholic monarchy! (B.I. Ch. ix.) In the excellent sermons of the Rev. Dr. Robinson (Master of the Temple) on the ‘Twin Fallacies of ‘Rome’ may be found a curious instance of the mode in which this catena is manufactured. (P. 93.) We will give another. Even Calvin is cited: he is made to say, ‘God has placed the throne of his religion ‘in the centre of the world, and has there established one pontiff, towards ‘whom all are obliged to turn their eyes, in order to maintain themselves ‘more strongly in unity.’ Part of the Latin is given in a note, though the reference is wholly wrong — doubtless by *mistake*. However, we have hunted it out; it is in Inst. Lib. iv. Ch. vi. As we expected, we found the whole chapter in the very teeth of De Maistre’s assertion; and the particular sentence (of which the first clause was left out — doubtless, *also* by mistake) had nothing to do with the matter. The Reformer is speaking of the Jews, and says, ‘Because the Jews ‘were on every side surrounded by idolaters, lest they should be ‘seduced by variety of religions, he (God) placed the seat of religion ‘in the centre of the land: there appointed one high priest,’ &c. We recommend Dr. Robinson to publish a tract on these ‘*Protestant Evidences*.’ We have no doubt it would be a curious commentary on De Maistre’s *courage*, above mentioned. Will it equally illustrate his *honesty*?

* De Maistre, as might be expected, laughs to scorn the idea of the superiority of a Council to a Pope. Bossuet comes in, of course, for a severe castigation; and, sad reward for writing the ‘*Variations*’ of Protestantism! is himself styled the *semi-Protestant* compiler of

conjointly; — it will be sufficient, as before, to adduce a single illustration of our political difficulties; and, happily, we may make the process shorter, by selecting one which equally applies to both. The Council of Chalcedon, and again, the Council of Constance, which condemned Huss and Jerome of Prague to the flames, and the Third and Fourth Councils of Lateran (than the last of which none more numerous or magnificent ever assembled) expressly affirmed the maxims of religious persecution. The last, in particular, anathematised all heretics; pronounced the right and duty to punish and exterminate them; delivered them over to the secular arm to carry out the ecclesiastical sentence; expressly justified, in case of refusal on the part of temporal potentates to execute the will of the Church, their deposition from their thrones, the release of their subjects from all allegiance and the donation of their royalties to such as knew how to use them more *obediently*.

And as this has been the *theory*, (so Protestants are apt to affirm,) it has also been the practice of the Romish Church, whenever and wherever it has had the power. Accordingly, the crusades against the Waldenses and Albigenses were systematically enjoined by ecclesiastical authority; and the Inquisition, wherever established, has been maintained by the Roman Church to the very uttermost; longest of all in Italy, the seat of the Pontiff, and the centre of the Church.

But now, Protestants continue, let us suppose that, as in the former case of the Pope's right to dethrone heretical and contrarious sovereigns, so in the case of the solemn sanction given to the practice of persecuting and exterminating heretics*, — the Pope alone, and Councils alone, and Popes and Councils both together have erred, — then similar observations to those formerly urged suggest themselves. Either, say Protestants, these infallible oracles erred or they did not, in supposing the warrant of Scripture for these apparent enormities; if they did not, we must, as before, revise our heterodox and untenable notions of toleration and religious liberty, and repeal the laws which permit of such extravagances. If they did, they at least *thought* they did not, and so far from infallibly interpreting the truths of Christianity, they sanctified the most horrible perversions of its essence and character. However invaluable may be their decisions on purely

the 'Liberties of the Gallican Church.' (P. 98.) How little did he dream that he, too, was to be taunted with 'Variations' from the Catholic Unity!

* The right and duty of coercing and punishing all heretics is most expressly asserted in the notes to the Douay Bible. See the extracts in Capper, p. 447.

speculative points, as, for example, transubstantiation, or the denial of the cup to the laity, or the definition of the number of the sacraments — ‘seven,’ neither more nor less — it is (so thousands will hold) a slight counterpoise that they thus erringly decreed wholesale murder, rapine, and robbery to be an acceptable service to God. What then is the value of such an infallibility which is thus ignorant of its true province, and not only deems itself infallible when it is not, but delivers the most deplorable error for infallible truth? If these Councils could *thus* err, thus perniciously, then so far from representing the College of Apostles, who were enjoined to be ‘wise as serpents, and harmless as doves,’ they would appear to be more correctly described after a transposition of the epithets; being ‘wise as doves and harmless as serpents.’

In reply to the supposed sanction of the maxims of persecution by Popes and General Councils, it is obviously no relief to *recriminate* the charge of intolerance on Protestants — the course generally pursued. The Protestant says, ‘Yes, my fathers persecuted, it is true; Rome taught them the lesson well, and it was hard to unlearn it; she *burned* it in too deeply to be soon forgotten; but, neither were they nor am I infallible, nor pretend to be so. Yet it is also true that Protestants not only never persecuted on so magnificent a scale as Rome; but that they first elicited and proclaimed the principles of toleration, and first practised them. Rome has followed them, slowly, however, and scarcely at all, except where she has been compelled. But, in truth, the argument has nothing to do with the *degree* in which either party has persecuted. The Protestant can say, my fathers did, but *I* do not; I appeal from Philip drunk to Philip sober. While Rome, if in the exercise of infallibility, she has sanctioned persecution once, has sanctioned it for ever. A Church really infallible is always sober; and one *not* infallible, but pretending to be so, is always drunk. In a Church like that of England, the folly of a generation may die out with the actual generation; and addressers from Oxford, were they entitled to usurp the name of the Church, do little more than expose themselves by the vanity of their assumptions.’

Again; let us suppose that the Romanists, by applying similar tests to the decisions of Councils as the worthy Professor of Canon Law tells us must be applied to the bulls of Popes, can annul the validity of these or those decrees, and among the rest the decrees enjoining persecution; as for example, — that a council was not *truly* ecumenical or not duly called, or its decrees not duly ratified, or that they have not

been universally received, or that they were never properly promulgated, or that they are not *de fide*, or that they are capable of different interpretations, or that the decree is interpolated, or a forgery, or ten thousand other things,—then the Romanist does, indeed, as Protestants willingly allow, deliver us from all political doubts on the subject immediately under consideration, but he makes the infallibility of the Church, as before, an infinite problem for the decision of private judgment—and on which, by such methods, we see that it does actually decide differently.* The most satisfactory method would be for Rome to convene a General Council, for the purpose of declaring to the world that Popes and Councils, however infallible singly or together, have often infallibly erred in supposing themselves infallible; and that though they cannot ‘err in matters of faith,’ they have often unluckily erred by not knowing what *are* matters of faith. But, this it is admitted, by the nature of the case, is very difficult.

At all events, the following consequences seem necessarily the result of the above statement. In the first place; on the supposition that Popes and Councils *have erred* in the preceding cases, it must be admitted that the tremendous exercises of the authority of the only infallible Church—the deposing of monarchs, releasing nations from allegiance, and persecuting heretics by fire and sword,—have been acts (and these carried out with a high hand for ages together) of the most alarming *perversion* and *violation* of the divine laws. In the second place; whether it be disputed or admitted that Popes and Councils have erred in these acts—and there have been plenty of advocates of Rome who have pleaded on both sides,—the infallible Church, instead of having guided its members into infallible truth, has left them in absolute doubt on questions in which the laws of God are *either* observed or violated—one or other, men know not which,—on the most important subjects and most comprehensive scale. Thirdly, in case

* ‘So that, by something or other,’ says Jeremy Taylor, after enumerating Bellarmine’s escapes from ‘certain obnoxious decrees of several different councils, ‘either Councils were not convened lawfully, or they did not proceed “conciliariter,” (“council-like,” —a “fine new nothing,” as Taylor calls it;) or it is not certain that the council was general or not, or whether the council were *approbatum* or *reprobatum*; or else it is *partim confirmatum, partim reprobatum*; or else it is *neque approbatum neque reprobatum*; by one of these ways, or a device like to these, all councils and all decrees shall be made to signify nothing, and to have no authority.’

it be said that the points in question are *indifferent*, being beyond the province of infallibility, and that on these, opinions may be formed on both sides, then it must be also said, not that Rome does not allow the exercise of private judgment, but only allows it in those cases where one would imagine unanimity of judgment would be tolerably certain; that private judgment must not be allowed to have its doubts on such questions, as whether prayer be profitable in an unknown tongue, but only as to whether Popes may dethrone monarchs and dispose of crowns, release subjects from allegiance, and extirminate heretics! Romanists are certain — for the Church has absolutely decided it — that the apocryphal book of Tobit is to be reverenced equally with the canonical Scriptures; they are divided only about such trivial matters as, whether the Pope be endowed with absolute supremacy, temporal as well as spiritual, and whether it be right to kill men for heresy or to forbear. The tithe of ‘mint, and anise, and cummin,’ may have been taken by an infallible modus, but what has become of the ‘weightier matters of the law?’

We do not appeal to the authority of particular ‘doctors’ of the Romish Church, for a solution of the difficulties in this article; partly because, as the Romish Church truly alleges, *these* are but individual opinions; and partly because, if we must calculate the number and weight of such authorities, and then determine the points, it is ‘private judgment’ which informs us what the infallible Church truly says, not *she* who tells us. We can accept nothing less than the authoritative declarations of the accredited organ of Romish infallibility, (whatever that may be) that,—so far from having declared what that organ appears to have declared, and multitudes of Romanists hold it has,—it has affirmed the contrary. When this has been shown, as clearly as it *appears* to be shown that such organ has affirmed the right to depose heretical monarchs, and extirminate heretics, then it will be time to decide who is to be the judge of that further momentous question, ‘Supposing an infallible authority to have declared some things that are fallible and some infallible, and its subjects to be divided as to which is one and which the other, what is the infallible criterion of that which alone is *truly* infallible?’

There will always be, indeed, even in that case, the dark side of the picture; for, if the Romish Church has been utterly wrong in dethroning monarchs, in disposing of crowns, in releasing subjects from their allegiance, in suppressing religious freedom, in crusades against heretics, in her patronage of Inquisitions, and in her Index Expurgatorius, then it is certain

that the only infallible Church has been more enormously in error than any or all other Churches put together.

Similar ultramontane doubts necessarily attend the application of the very peculiar theory of 'spiritual authority,' pleaded for by the Romish Church. It does, directly and indirectly, extend to so many points which the generality of other religions regard as purely or chiefly secular, that it is hard to guess into what part of civil or political life it may not intrude. To attempt to separate between the temporal and spiritual in the Church of Rome, is like attempting to cut off Shylock's pound of flesh without spilling a drop of blood. Where her theory is fully carried out, says the Protestant, and the privileges of her canon law are fully *enjoyed* by her members, she effectually relieves the civil power of many of its most essential functions. 'Beware how you legislate,' she exclaims, 'on the subject of marriage; that is a *sacrament*.' Wills and testamentary dispositions are scarcely less sacred; ecclesiastical courts can alone be competent to deal with matters which have so visible a relation to spiritual things. Neither is it becoming that laymen should presume to sit in judgment on an offending bishop or priest: or interfere with any thing so sacred as the very crimes of the priestly order; all such points can be properly decided only by an ecclesiastical tribunal; all sacred persons must be exempted from civil jurisdiction. Similar observations apply to ecclesiastical property: Rome has often proposed that it should be untaxed by the State, and where she has had the power, has insisted upon it. As science, philosophy, and literature may be abused to the dissemination of heretical and infidel opinions, an *index expurgatorius* must by all means be compiled, that the faithful may know what alone they may safely read; the liberty of the press must be committed to orthodox censorship; such authors as Bacon and Milton must be proscribed. 'Induction'—except to a benefice—may be, as Galileo found, of dangerous consequence; and 'Paradise Lost' and 'Paradise Regained,' are both worthy of being sent to a literary 'purgatory.' The Bible is an admirable book, and contains, *obscurely* indeed, much admirable truth; but it is dangerous for a man to attempt to *interpret* it except it be *interpreted* for him by an infallible oracle, especially as there are most important truths in it, such as the seven sacraments or the Pope's supremacy, which he will be apt to suppose are not there at all, till such oracle declares they are. As there are comparatively few, therefore, who can read it with profit, let it be regarded with silent veneration by the ignorant laity, or read only by special licence. Liberty may be an excellent thing, but religion is a

better; and as liberty may be readily abused to the injury of religion, toleration of heterodox opinions and the exercise of private judgment are of necessity to be denounced and proscribed. Such seems to Protestants, at present, the *theory*, and such, they affirm, has certainly been the *practice* of the Church of Rome, whenever she has had the power of fairly acting out her tendencies; and it evidently places us, if we become proselytes, in peculiar difficulties. For by the aid of 'seven' sacraments; claims to separate jurisdiction and tribunals for all ecclesiastical offences; exclusive authority over marriages and wills; the construction of an 'Index Expurgatorius'; the control of what printers shall print, and what readers shall read, and the contrary; persecution for heretical opinions and restrictions on religious toleration; — there is hardly any thing in the whole scope of civil legislation, however remote, which may not be gradually involved in this all-devouring vortex. The Romish theory, maintain the Protestants, when carried out in perfection, spreads its subtle and refined meshes of glutinous filament over the whole body politic; its consistent realisation is incompatible with rational freedom. It is only when it is partially neutralised, they affirm, that it is even tolerable; and for proof, they tell us to look at Italy and Spain.*

Far be it from us to insinuate that the whole system, however *inconvenient*, is not necessary; as the Ultramontanist frankly declares, and the Protestant suspects it to be. Doubtless it interferes thus with the whole outward life of man, from his cradle to his

* In the event of its being satisfactorily proved that the genuine theory of the Romish Church is unfriendly to Ultramontanism, it is pleasant to think what changes will take place in her Index Expurgatorius; if, indeed, it be conceivable on such an hypothesis that she will retain such an index at all. Some few authors will come out of prison, but how many will go in; and among them the chief champions of the Pope must necessarily be consigned to it. What work will the sponge make with Bellarmine, Baronius, Mariana, Emmanuel Sù, Suarez, and a host more! Whole folios will shrink to pamphlets, and the index itself will extend to folios. It may begin with the voluminous collection, (compiled by Roccaberti, Grand Inquisitor of Spain, in 21 vols. folio,) of treatises in defence of the Pope's Supremacy. The 'index' at present is a curious 'index' to the opinions of the Romish Church, if, indeed, she *does* renounce Ultramontane principles.

Paul Sarpi gives a most amusing account of the origin and progress of the Index. He tells us that at first the Church was less jealous of heretical than of the profane and classical authors: it was feared that ecclesiastics might be ambitious of imitating their eloquence! This was assuredly an excess of caution.

grave; takes his meats and drinks, his fasts and holidays, his books and his opinions, his wife and his will, into its keeping and under its protection, only from the purest and the best motives; from anxiety to sanctify the whole man, and offer him up as a *holocaust* — an ‘acceptable,’ if not a ‘reasonable,’ sacrifice to the ‘Church.’ But it is, nevertheless, necessary, if we are to become proselytes to Rome, either to show that an infallible Church infallibly requires these sacrifices, and that we should be all the happier with the full enforcement of the canon law — with a rigid censorship, the Index, and restrictions on toleration; or that it is a mistake to suppose that she requires anything of the kind: and that when she *seems* to have given effect to such a theory, it is because either her ‘infallible mind has not been infallibly known, or, when it has been known, and that too the other way, her supremacy has failed to secure the obedience of her perverse children; or, lastly, that the matters are too trivial to induce her to declare herself authoritatively on any such subjects, in which she concedes to all a glorious indifferentism. It is an unhappy accident that the great bulk of her writers, and her too uniform practice, when not compelled to practise *toleration*, have excited a sort of suspicion that she is unfriendly to the liberty and independence of mankind. But if unjustly, it will be easy to rectify the error by citing her official documents and acts, and especially by pointing to those countries, in past or present ages, which, where she has had exclusive sway, have enjoyed the privileges of religious liberty.

It will unquestionably be a consolation should the Romish Church be able to show, from the irrefragable decisions of her unanimously admitted organs of infallibility, that she has never affirmed the principles which so trouble the patriotism and loyalty of Englishmen; and still more so, if she can show that she condemns and renounces the ‘deposing power’ of the Popes, and the rights of persecution. If she has always *felt* these sentiments, but has merely *forgotten* to give utterance to them, it would, one might imagine, be a sufficient reason for convening a General Council to declare them; especially considering the stumbling blocks which apparent decisions of Popes or Councils, or of Popes and Councils place in the way of the Protestant who is called upon to admit her infallibility! How would he hail this auspicious, though late discovery of Rome’s genuine mind, however he might feel surprised that infallibility should have so long delayed or so darkly expounded its true views on such important subjects!

In another way, we apprehend, such a course must be advantageous to the Church of Rome. It would silence the taunts of

Protestantism, that Rome will never see and dare not summon another General Council; that the last 'Ecumenical' has been held; that the diversities of opinion and distractions of party would inevitably issue in the break up of the Papacy; that the instinctive reluctance of Leo X., Clement VII., and Pius IV. for any such assembly will be a thousandfold stronger in any future Pope,—because the degree of freedom now diffused through so many States of Europe, would effectually secure full liberty of discussion. The blasphemous proverb, reported by Paul Sarpi,—‘that the Holy Ghost was sent every few days from Rome to Trent in a post-bag,’ has no chance of again becoming current. One of the ancient Councils decreed that a Council should be held every thirty years. Perhaps it meant every three hundred. ‘Will it be held then?’ Protestants confidently ask. They say, the ‘cup to the laity,’ and other things, which so many demanded at Trent in vain, must be granted in a future Council, if there shall ever be one. But how can there ever be one? for to grant what must then be granted will ruin infallibility, unless it can be saved by the assurance that in the points retracted Rome was *infallibly* in error. This comes, say Protestants, of *stereotyping* human theology; of planting the cedar of Lebanon in a flower-pot; it either will not grow, or if it does, woe to the earthen vessel that contains it!

If this be so, all that can be said is, that it is very unfortunate; for it is as certain as any thing can be, that a General Council will be demanded sooner or later, whether granted or not. And till it is granted, and a *true* unity attained, it is to be feared that Protestants will be inclined to laugh at what seems but its semblance. ‘Unity!’ they exclaim, ‘whether external or internal, ‘it is equally a chimera. As to Rome’s external unity, its just ‘image is that of an old gnarled oak, from which the fairest ‘boughs and the richest foliage have perished; and from which ‘every leaf will be stripped in due season. Still it is the same ‘venerable trunk, no doubt. Down fell the huge branch of the ‘Greek Church with all its leafy honours, if indeed it can ever be ‘said to have been more than an imperfect *graft* upon the Papal ‘trunk at all. But still they cry, Behold the majestic unity of ‘the tree! Down came at the Reformation the fruitful branches ‘of Germany and Holland, and at last of England and Scotland; ‘but still the cry is, Behold the inviolable unity! And so ‘long as the trunk remains, though it be reduced to Pope and ‘Conclave, and every branch, and twig and leaf shall have been ‘severed from it, it will still be possible to say, Behold the ‘unity! This is in truth a sort of unity which *nothing* can impair.’

‘And its internal unity, they insist, is equally curious; ‘for it

' consists in the close contact, by mechanical compression, of all sorts of heterogeneous substances; many varieties of hypothesis respecting infallibility itself; its seat, — its limits, — and the results which are derived from the application of any of these varying theories, — besides an infinite variety of opinions on subjects which appear quite as important as many of those fantastical ones which the Church has undertaken dogmatically to decide. The just image of this unity, they affirm, is to be seen in sonic masses of geological remains, in which shells, bones of extinct species, genuine coprolite relics, and divers earthy substances are compressed into artificial union, and exhibit the marvellous power of *petrifaction*.' Into the justice of such comparisons we do not enter.

Meantime we desiderate a solution of our doubts. Sometimes, indeed, we meet with a *quasi* Roman Catholic, who attempts to alleviate them, — not by denying that such and such apparently authoritative decisions of Popes and Councils, separately or conjointly, have been uttered, which he nevertheless rejects as completely as we do; nor, again, by admitting that the infallibility in question must be abandoned, — but, by reminding us that the decisions in question occurred so many centuries ago, and in such a very different state of the world, and that it is not worth while to discuss arguments extracted out of musty records dated in such remote antiquity! It reminds us of the woman who, having heard a very pathetic discourse on the Crucifixion, remarked to her neighbour, ' Well, it seems to have been a long way off, and a long time ago; let us *hope* it is not true.' Such an argument is of admirable use, if we are at liberty to abandon the notion of infallibility and immutability; or if infallibility in process of time can become fallible, or immutability mutable; or if things may be infallibly true four centuries ago, and the direct contrary infallibly true now; but to argue that the decisions of an infallible Church are not to be pleaded because they were delivered four centuries ago, is as if a man were to say that the theorems of Euclid were indeed true in Euclid's days, but not now: or, like Molière's Physician, that the heart used indeed to be on the left side, ' Mais nous avons changé tout cela !' When Time acts on doctrines as on drugs; and can either make the same thing different, or transform truth into falsehood, then, and not till then, may there be an infallibility which grows old, and an immutability which can change.

Some, again, strive to quiet our doubts, occasioned by such decrees as those of the Third or Fourth Lateran, or any previous Council whatever, by reminding us that the Council of *Trent* has been more moderate in these articles. This, we regret to say, does not help us at all; first, because that Council distinctly

asserts in its anathematising decrees against heretics quite enough to render religious toleration a *seeming* impossibility to a genuine Romanist; and, secondly, because the appeal is not to this or that Pope or to this or that Council, but to all the General Councils, or to all the Popes, or to all the General Councils and Popes conjointly, according to the special theories adopted by the 'private judgment' of particular parties. Now the decisions which were made by the authorities, thus defined, prior to the Council of Trent, were either the same as those of Trent, or opposed to them, or simply not affirmed by the Council of Trent at all; if the same, then the argument is where it was, and the old difficulties still remain; if different or opposite, then, indeed, we are left either to adopt contradictions as a curious way of preserving infallibility, or, by rejecting one of them, to reject infallibility at the same time.

If the dogma of the universal and absolute supremacy of the Pope, as asserted by Gregory VII., for example, and the persecuting Canons of the Fourth Lateran, were not touched by the Council of Trent, if it neither abjured nor affirmed such articles, then the silence of the Council of Trent on such matters cannot annul the validity of the bulls of previous Popes, and the decrees of previous Councils. But suppose that we argue in the affirmative from the *silence* of that Council, and thence infer its virtual condemnation of the obnoxious dogmas affirmed by previous Councils, all the old perplexities re-appear; unless, as said before, the infallible Church is so infallible that she cannot err in embracing either side of a contradiction.

Nor will the Ultramontanists (consistent advocates of Rome) feel any difficulty in the case. Their explanation is at hand, and ample enough to cover all objections. Rome, either simply did not urge her rightful claims, and her silence could not prejudice any assertion of those she had already made; or, —if the Council, in deference to temporal sovereigns, and in the unhappy condition produced by Protestantism, would not ratify the claims she did make,—it only follows that she simply refrained from urging, not that she abandoned them. Nor (they proceed, and justly,) were the Pope and his legates wanting in their duty towards the Church, had temporal sovereigns but known *their* duty; since the former made in fact those memorable demands which provoked the stormy invectives of the French envoy Ferrier.* It is right indeed that

* There is scarcely a more graphic passage in any history than that in which Sarpi gives the ironical speech of Ferrier, and the consternation it produced in the council. He must, indeed, have been like a wild bull in a crockery shop.

we, on our part, should remember these demands. The list is characteristic, — That Churchmen should not be cited before the lay courts: That the lay courts should not interfere in causes of matrimony, heresy, tithes, patronage, patrimonial benefices, ecclesiastical fiefs, the temporal jurisdiction of Churches, nor in any cause civil, criminal, or mixed, pertaining to the ecclesiastical courts: That Churchmen should not be liable to pay taxes, tenths, forage, or subsidies of any sort, either on the property of the Church or on their own property: That the property of the Church of every kind, tithes, and other rights, should be held sacred from the hands of the lay powers: That all letters, citations, sentences, and excommunications, from the ecclesiastical courts, or from Rome, should be promulgated and executed without requiring any *exequatur* or permission from the civil power: That neither emperor, nor king, nor any other prince, should interfere with the said courts or with the tribunal of the Inquisition, but should, when required, give them the assistance of the secular arm.

These claims the Roman See consented to keep in abeyance (though the principal were afterwards expressly asserted in the celebrated bull *In Cœnâ Domini*, by Pius V.,) and the Council expressed no decision upon them. Protestants, by the by, will here interpose with the objection so often stated, that, — if a reluctant consent on the part of the Pope *not* to press these claims is tantamount to a rejection of them on the part of the Council, — then principles and measures may be infallibly right under one Pope and Council which were infallibly wrong under another Pope and Council: but we arrive moreover at the singular result, that the infallibility of the Council of Trent was so far the result of *not* admitting the claims of Rome; and further, that the infallibility, in fact, was the infallibility, not of the representatives of Rome, who were willing enough to be led astray, but that of the secular princes. Surely, Protestants must be expected to observe that, if Rome was under unerring guidance upon this occasion, ‘she was led by a way that ‘she knew not.’ Happy prerogative of infallibility, which, even when it would fain go wrong, is kept from doing so by the still surer infallibility of a secular guide!

It is certainly hard to know what we are to do in the event of our conversion; and still more so that the dilemma is occasioned by diversity of judgment in those who assure us that they enjoy immunity from it. The genuine Ultramontanist tells us that Rome has abandoned *none* of the claims she ever made; that whatever was not re-affirmed in the Council of

Trent is simply *not* re-affirmed, but is not surrendered; as, indeed, it cannot be by the very theory and principle of Roman infallibility; that, again, whatever the Council of Trent *has* affirmed remains stereotyped for ever by the very same principle; that whatever claims Rome in these latter ages has not been able to enforce, have not been renounced,—they have simply not been enforced because she has wanted the power, and not the will, to enforce them; that this is plainly manifested by the fact that her power, when limited, has always been limited from without, not from within; that no voluntary concessions can be pleaded against her; that every fragment of authority which has been wrested from her since those happy days when the dethronement of princes was her glorious work, and the menace of an interdict was as the whisper of an earthquake, has been ruthlessly torn from her amidst protestations and tears; and that she still ever acts up to the limits of the power left to her, as she does at this moment, wherever her sway is acknowledged. Such a man, therefore, in effect tells us, that the British Roman Catholic may claim religious toleration, not as admitting the wisdom of extending such privileges to mankind, nor as conceding that, were his Church to regain the ascendancy, he ought to indulge in any weak reciprocity of a similar nature; that the true principles of Rome are seen in every country of Europe, wherever and whenever the policy of Rome can induce monarchs and their legislatures to second her desires; that if, accordingly, Roman Catholics demand from Protestants the amplest religious freedom, it is on the principles of *Protestants*, and not on *their own*, that they demand it; that though heretics ought not to persecute the orthodox, the orthodox must and ought to persecute heretics; that error can have no right to coerce the truth, but that truth may and ought to coerce error. This is certainly, *prima facie*, the most consistent extrication from our perplexities, and one which we have a presentiment that we ought all to adopt, on becoming Roman Catholics.

There is another method, indeed, of solution, but it is the ‘mauvais pas’ to the Roman Catholic theologian; it is a pass through the very heart of Protestantism, and none but the mountaineer of those regions can venture to trust his feet there; it is that of denying the infallibility of Popes and Councils, separately or conjointly, because, as Protestants object, their frequent contradictions of one another is undeniable, whatever tests or limitations you choose to apply for the fixing of this too Protean thing. ‘I see with my own eyes,’ says Chillingworth, ‘that Popes have been opposed to Popes, and Councils to Councils; that Popes have contradicted Councils and

' Councils Popes ;' 'our judge of controversies has become our greatest controversy.'

Lastly, there sometimes comes in among these *embarras* the *quasi-philosopher* of our day who has surmounted all vulgar notions respecting the necessity of attaining any thing certain and consistent on such subjects; having reached a sublime indifferentism at once to religion and to truth; who says to us much as Epicurus might have said to a heathen idolater, Why not take a shorter road? If you choose to affirm your belief in dogmas, and an approbation of practices which your heart renounces, and which you would not for the world practically exemplify in life and conduct; if you think proper to swear by formularies which have virtually become obsolete; if you find a consolation in repeating that the Church of Rome has never erred and never can, though you in effect admit that you should be inexorably resolved in many respects to act contrary to her decisions, laws, and principles, what does it signify? Can you not act as Sheridan is said to have done, when his son told him that he had been down a coal pit, in order that he might have the pleasure of *saying* that he had? ' Well,' answered the father, ' and could you not have *said* that you had been down, *without* having been down?' We should reply, It is all very well for those philosophers of whom Gibbon speaks when he reports that, in their estimate, all religious systems are equally true; and for the statesmen in whose estimate they are all equally useful; but it will not do for Englishmen who cannot bring themselves to the ethics attributed to Sheridan. They desire to see men intelligible in their statements, frank, ingenuous, and honest in their conduct; they believe that, to be a true philosopher, the ' love of truth' must be only another name for the ' love of wisdom.' They choose not to be involved in paradoxes which must ever expose them to the danger of being argued out of their practical abandonment of error—if it be error—in the attempt to reconcile their consistency with a speculative admission of it. They feel that to affirm in words what they deny in conduct is a dangerous condition of human nature.

Though we intend not any reflection on the loyalty or the patriotism of our Roman Catholic fellow subjects, every now and then we see the results of a condition of unstable equilibrium resulting from the want of a thorough adjustment and determination of some of the points discussed in this article. Thus, Mr. J. O'Connell*, who would, no doubt, be very unwilling to have the laws of the Church, as recently applied in Sardinia,

* *Times*' Debate on Papal Aggression, Feb.

applied here, cannot help apologising for the conduct of the Romish Church towards that country. The ‘ecclesiastical immunities,’ which can be defended only on extreme ultramontane-principles, but the abrogation of which he seems to think a wrong, he would, we venture to presume, protest against in England. Why then defend them or apologise for them there? Similar, but more dangerous, inconsistencies are seen in those senators who avow that they voted on a recent motion against their convictions, purely because they were determined, as Roman Catholics, to embarrass a government which, they contended, had insulted their religion; and who avow that they will continue to act on that principle! Precarious indeed must be their theory of political duty. What are we to think of the Free-Traders, who so advised them? What should we say of the parallel case of Conservatives who had voted in favour of Mr. Locke King’s motion avowedly *against* their convictions, in order to spite Lord John Russell, because his Ecclesiastical Titles Bill did not, as they conscientiously thought, go far enough!

Another instance of this unstable equilibrium is seen in the proceedings of the Synod of Thurles. The attempt to obtain a papal rescript against the colleges, seemed to Protestants, and to many Roman Catholics, (among them the Earl of Shrewsbury,) a factious interference with the undoubted civil rights of our country. That the nation, right or wrong in its views of the possibility of giving an education which may be useful to all, without interfering with the perfect religious freedom of any, is at liberty to try the experiment of such a system, would seem undeniable; and as long as it is the will of the *majority* that the experiment should be tried, most people will think that it ought to be tried. The minority can, if they please, refuse to accept the benefit of such a system, and, if they believe it prejudicial, can endeavour to obtain its abrogation. All this is quite in harmony with the modes in which all such things are conducted amongst us. But that the experiment should be thwarted by an appeal to a foreign potentate, whether spiritual or temporal,—by influences emanating from a distant and extra-national centre, and organised against a purely civil institute,—this, however consistent with the ultramontane theory of the Roman Catholic Church, is likely, we should apprehend, to startle the loyalty and patriotism of many other Roman Catholics besides the Earl of Shrewsbury. In truth, if institutions can be thus assailed, in which the fault complained of is that the religion of Rome is *not* touched, but is simply left, like every other, to itself, it were hard to find any institutions amongst us against which, on similar, but still *stronger*, grounds, rescripts

of popes might not be asked, and a foreign organisation factiously worked against us.

Of the wisdom of the opposition, if Rome wish to convert us, we say nothing. Many Protestants will certainly think that that opposition sprang, not from fears of Atheism, but from the dread of Knowledge ; that if confident of the superiority of their spiritual weapons, and of the force of their theological arguments, the priests would have said, ‘ Give the youth of Ireland as much knowledge as you please ; we will take care to turn it to a right account. You cannot educate them religiously ; you professedly leave that to us ; we will take care to fulfil the duty well, and as it is more difficult to instruct the ignorant than the well-informed, we shall have an easier task.’ The Roman Catholic religion does not shun the light, as you falsely allege. ‘ Ignorance is not the mother of *our* devotion.’ But now multitudes will argue the other way, and suspect that the agitators feared that in equal conflict Protestantism would prove the stronger.

The manner in which the Irish Roman Catholic laity shall treat the recommendations of their ecclesiastics on this subject, will, in some degree, determine how far they are amenable to ultramontane influences, and prepared to receive the seemingly *true* theory of the Romish Church ; whether they have ceased or not to feel, as our forefathers, jealous of every foreign interference in our own internal affairs. But if the synod are right, it is certain they ought to go much further. On the same principles, the Pope of Rome should be asked, à *fortiori*, for a rescript to condemn every civil institution amongst us ; for none of them can possibly offer less ground of objection than one the very character of which is that it does *not* assail the Romish religion, but leaves every Romanist free to profess and teach his own opinions.

We may be permitted, perhaps, to suggest to the promoters of the Church of Rome on this occasion, the desirableness of acting with caution in the laudable enterprise of reconverting our country. It may be doubted whether it will be safe for his Holiness and the Propaganda to lend a too ready ear to the sanguine representations of Cardinal Wiseman and Father Newman ; for there can hardly be a doubt that there has been a grievous miscalculation of the extent to which England sympathised with the feelings of the Tractarians. Perhaps it would be better that Pio Nono should yet for a while confine his efforts to unceasing supplications to the Virgin. Let him wait not only till she has ‘ winked,’ but ‘ nodded’ assent.

It may be doubted also whether the ‘ assumption’ of the title.

of ‘bishop,’ even apart from that of local or territorial designation, be very wise; since, if the term be thought dangerous by the perverse Protestants, they have it inevitably in their power to cheapen it as much as they please. The title may not be forbidden by legislative enactment; neither ought it to be, being the name of a purely spiritual and religious functionary. Now if the various denominations of Christians should take it into their schismatical heads that the term, as confined to certain churches, may convey too strong a tang of ‘apostolical succession’ and ‘sacramental efficacy,’ and may be apt to perpetuate error among the vulgar, what will they do but give the title to every Christian minister just as it is given in the New Testament? Nor will the learned think this inconsistent; for it is the proper scriptural term for the true ruler of a Christian Church (whoever may be the true), and each sect of course must think the best right to it to be with its *own* ministers. By the confession of all who are entitled to give any opinion on the subject, by the authority of all the best critics, the names ‘bishop’ and ‘presbyter’ are everywhere interchangeable in Scripture; and since each denomination believes its ministers to be, if not the only, still the truest and most genuine types of the Christian ‘bishop,—each denomination will name its ministers or pastors by that envied title, qualifying the genus, of course, as usual, by the differentia of Anglican, Presbyterian, Congregational, &c. ‘This,’ they will say, ‘would do more to disabuse the public mind of all irrational prejudices and pseudo-sacred associations than probably any thing else; and also compel the Roman Catholic bishops to employ the proper discriminating epithet. It would cheapen down the term to truth and sobriety.’ What with Anglican bishops, or bishops of the Established Church, Roman Catholic bishops, Presbyterian bishops, Congregational bishops, Wesleyan bishops, and Unitarian bishops, men would be ready to parody Dean Swift’s grace after his surfeit of variously-dressed rabbits:—

‘Bishops ancient, bishops new,
Bishops false, and bishops true,
Bishops young, and bishops old,
Bishops hot, and bishops cold,
Bishops tender, bishops tough;
We thank the Pope we’ve had enough.’

The world is ruled by names; and the Roman Catholic Bishop would be almost ready in a twelvemonth to sigh for the more obscure, but less ignoble title of ‘Vicar Apostolic.’ The innovation might be a little ridiculed, it is true, for a time, but it would outlive that. Whether, indeed, the various advocates

of different modes of ecclesiastical government who acknowledge that the term ‘Bishop’ is the *proper* scriptural appellation of a minister of a Christian Church, and that *their* ministers in particular most aptly and truly represent him, are not justly open to ridicule and contempt for pusillanimously declining that name, and using any other than the one they most approve, it is for them to consider.

We may also humbly venture to suggest whether, if the conversion of England is to be effected at all, it be desirable to proceed quite so incautiously and ostentatiously as in the recent movement. By exciting the jealousies of a powerful nation, it may end in a war of reprisals. It may be suggested to Protestants, whether it does not become them to emulate that zeal for the extension and manifestation of perfect religious liberty among Catholic nations which Cardinal Wiseman is so anxious should pervade his native land. And although none would recommend them to do as the Pope has done—deliberately break the existing laws of other countries, even should the penalties be repealed, or erect Protestant sees, with territorial jurisdiction annexed, without consulting the wishes and obtaining the permission of the countries thus favoured,—though, we say, they cannot do this, not having any power of ‘dispensing’ even with the ordinary requirements of diplomatic etiquette, or of granting ‘indulgences’ for any peccadilloes of ecclesiastical caprice; yet there are other methods, not less effective, in which they may manifest their sincere desire not to be outdone in the sublime love of perfect religious liberty. Perhaps they will not be disposed to allow the matter to terminate in a mere renewal of the controversy with the Roman See; they may bestir themselves with greater activity than ever for the propagation of liberal opinions among surrounding nations. With such power and wealth; with zeal at all to match it; with the press so largely at her command, with her ships in every port, England might, if she pleased, organise, by voluntary effort, a Propaganda in her turn, which would be quite as effectual as the similar society at Rome. Protestantism may be roused to say with Luther, ‘You have called for war: you shall have it.’ Rome can, in these days of international activity and intercourse, adopt no ‘continental system’ which will effectually stop a contraband trade in truth and liberty; no ‘cordon sanitaire,’ which will effectually shut out that ‘moral pestilence’ which, as a recent pope has so strongly remarked, religious freedom and the toleration of opinion must necessarily bring with them. Whatever the Church of Rome is entitled to expect from Pro-

testant Governments, Protestant Governments must be entitled to expect from the Church of Rome.

Nor can we think this movement very wise even in relation to the Pope himself. We hear Englishmen every day saying — ‘It is as it ever was ; the Holy Pontiff seems to be but an ‘indifferent representative of the religion of peace. What a ‘plague the Pope is ! How tired we are of his very name ! ‘Crippled in power, and humbled in pretensions as compared ‘with the Hildebrands and Innocents of other days, his voice ‘is still the signal of discord as in past ages. He cannot touch ‘anything in Christendom, but it is sure to turn to bitterness. ‘In what a turmoil has England been kept by his absurd pre-‘tensions ! our whole nation divided into factions, and full of ‘jealousies ; our time, and patience, and energies consumed ; ‘our cabinets and legislatures absurdly occupied in fruitless ‘debates ! He cannot make us *fear* him — but he takes excel-‘lent care that we shall never *love* him.’ Such will be the result, in tens of thousands of cases, of the unwise movement of 1850.

At one thing, indeed, in the recent movement we unfeignedly rejoice ; and that is, at the earnest and, can we doubt it ? sincere zeal on behalf of religious liberty, which many of our Roman Catholic fellow-subjects have manifested. It is impossible not to be edified with their lectures on this subject. Henceforth they will doubtless become the champions of religious toleration, and intellectual freedom all the world over. The least we can expect is fraternal sympathy with every attempt to enlarge the liberties of their fellow-lieges of Rome in every quarter of the globe ; unflinching opposition to every vestige of persecution ; condemnation of the restrictions which prevent the expression or diffusion of any tenets of Protestantism : and if, as some suppose, Dr. Wiseman should hereafter become Pope, what bright auguries for Europe may not be conceived from those lofty sentiments of religious freedom — that trembling solicitude, lest in any degree it should be violated — those magnanimous appeals to degenerate Englishmen with which his Letter to the People of England abounds ! May we not fondly hope that on assuming the tiara he will lose no time in recommending, that in no part of Catholic Europe there be offered any obstruction whatever to the diffusion and expression of religious opinions, much less any punishment inflicted for such an offence ? As our less aspiring and less consistent notions of religious liberty forbid us to allow Romish sees with ‘territorial’ designations to be erected amongst us, or ‘counties’ to be ‘governed’ by Romish bishops without our leave, this may, perhaps, justify the future

Pope in forbidding Protestants to erect of their individual authority Episcopal sees in the Papal States ; but we cannot doubt, from his own conduct in the parallel case, that it will be his *earnest wish* that Protestants may have that liberty. At all events, however, the imperfect measure and degree of liberty—of free action and free speech, which he and his co-religionists have enjoyed here, would then be allowed throughout the domain of Rome, — *that at least, we take it for granted we may make sure of.* Whether, indeed, the possibility of such liberality will be a recommendation with the Conclave to elect him, may be a question. It is to be hoped, at all events, that the papal chair might not, in his case, work a transformation like that wrought on Æneas Sylvius, who, till his elevation, pleaded for the pre-eminence of a Council over the Pope, — giving as a reason for the clergy's generally thinking otherwise, ‘ that ‘ a Pope confers bishoprics and abbeys, but a Council gives ‘ none ; ’ yet who, when made Pope himself, had his eyes opened to discern the great privileges of St. Peter's chair !

We rejoice at another result of the recent movements. They afford palpable proof of the real progress which the mass of the people have made since the Lord George Gordon riots. That a great nation so deeply stirred throughout its length and breadth, should have spoken so decidedly and acted so moderately ; should have uttered such vehement convictions, and yet maintained so much self-control, is a phenomenon equally novel and gratifying. It is true, indeed, that the Earl of Shrewsbury, writing from the distant land of Sicily, and of course under circumstances singularly favourable to accuracy of information, speaks, somewhat pathetically, of the ‘ persecution ’ which his Roman Catholic fellow-subjects have endured, and even talks, with much *naïveté* of the ‘ Lynch Law ’ to which they have been sometimes abandoned ! Once, indeed, and only once, was human life sacrificed, but we beg to inform his Lordship that the victim was a Protestant policeman, who was endeavouring to repress the exuberant liberty of some Irish Roman Catholics : Those of us who have lived in the midst of the agitation will be surprised at the novelty of his statements. It may be sufficient to set against them the testimony of the noble Earl's amiable and candid co-religionist Lord Camoys, delivered (as the result of actual observation) in the House of Peers, in the debate on the address :—‘ Before he sat down, let him express the great satisfaction he had felt at observing the liberal feeling which had pervaded all the public meetings on this subject ; at none of them had any resolution been passed which went beyond the points which the meeting deemed it essential to maintain for

' the defence of their own religious rights and liberties ; at none of them had there been any manifestations of intolerance towards others, of a desire to withdraw from others the toleration conceded to them.'

Protestants most assuredly will acknowledge, that as soon as they can see a country, in which the Roman Catholic religion is as predominant as Protestantism is with us, exhibiting a similar spectacle of liberality and moderation, they shall be perfectly satisfied. When, for example, they once see the Government of the Papal States, not only freely tolerating in the exercise of their religion a minority of Protestants, but calmly leaving them in possession of their privileges, at the very moment of the Government being most indignant at the spectacle of what it may have conceived an encroachment on its civil rights, they will not ask greater proofs of moderation and forbearance. When they see a foreign, and a Protestant Power dividing Italy into dioceses with territorial jurisdiction — the head of such a hierarchy proclaiming, as Cardinal Wiseman seemed to do, not that the Protestant minority were Protestants, but that the 'country' was so, and the principal Protestant organs (as the *Tablet with us*) assuring the Roman Catholics that the said Protestant priests are the only rightful spiritual guides of every baptized person, even in spite of his protest and against his will ; when, we say, Protestants shall see all this, and yet see the Roman Catholics, though rising as one man against these assumptions, under sufficient self-command to leave the Protestant minority in the peaceful possession of the fullest toleration, they will be perfectly well satisfied with the result. But unhappily, Protestants assert, the experiment cannot be tried from a twofold impossibility ; it is impossible that the Pope should be liberal enough to practise the unlimited toleration of Protestantism, and impossible that Protestantism should imitate the assumptions of the Pope. We trust that Cardinal Wiseman will do something to render doubtful the *former* impossibility ; the *latter* we are content should remain.

The day is coming when either the ultramontane theory, as developed by such writers as De Maistre, will be universal and paramount, or the theory of the infallibility and supremacy of the Church of Rome will crumble to atoms. The theory of a divided allegiance the nations will at length find to be untenable. There are three *theories*, any one of which is consistent : the first is, that of the universal monarchy of the Pope, — 'with one sword under the other,' according to the Gregorian notions ; this is, in other words, the direct spiritual, and indirect temporal, supremacy, as expounded by Bellarmine and De Maistre. The second

is that which denies that any earthly sovereign, pope or king, has *any* claim to spiritual allegiance,—the supreme head of the Church being supposed invisible and celestial; whose august prerogatives, therefore, come not into competition with the paltry rights of earthly princes. The third theory applies in those cases, (though they are very rare,) in which a nation is unanimous in adopting the same religious belief, and the State and the Church all but coincide. In all these cases, different as they are, there is at least no *divided* allegiance: and though in the last case dissenters should spring up, still if they recognise none but an *invisible and superhuman* head of the Church, there is no ground for political jealousies. But when a man acknowledges that half his allegiance is due to a *foreigner*, and him again a *foreign potentate*, the supreme director of his conscience, — it is impossible that discord, strife, and embarrassment should not result *as they ever have done*. While such a state of things lasts in any nation, it will be wisdom to give to citizens in this condition the amplest religious liberty, and especially to take the utmost care that no impediment be offered to the unrestricted exercise of their public worship and the free expression of opinion; but to imagine, that cases will not arise in which the two claims will come into collision — in which the spiritual supremacy will not demand indulgences and make encroachments which the temporal sovereignty neither will nor ought to yield, is perfectly absurd; and this must emphatically and most distinctly happen, when the seat of religious empire is *local*, and its occupant a *man*, a *foreigner*, and a *prince*. Let us suppose a case. If the Wesleyan Methodists, who are admitted to have a very compact ecclesiastical organisation, had a *local* centre and a supreme head at New York; if a Wesleyan ‘Pope’ there (we intend no offence to the Pope by thus comparing him with the President of the Conference, nor, we may add, to the President of the Conference by comparing him with the Pope,) had the power of influencing and directing the opinions and actions of the entire Wesleyan body here, in relation to a variety of our national institutions, and at every critical moment in the history of the two countries: if that Wesleyan Pope were also the perpetual President of the United States*; further, if, however the numbers, wealth,

* It is of no avail to plead the political insignificance of Rome. Rome was not always politically insignificant; nor was it, we presume, because it was so that it was selected as the seat of the Universal Church, whether Saint Peter, or *any one else*, chose it in preference to Jerusalem or Antioch. But the evil lies deeper. A de-

and endowments of the body might increase, it were sought that a ‘corpus juris’ like the Canon Law should regulate their conduct; and lastly, that that law contained only *one* such sentence as that ‘an oath to the disadvantage of the Church — *contra utilitatem ecclesiasticum* — is not to be observed,’ — it would, we suppose, be impossible not to be jealous of such a foreign influence; and if told that to interfere with it would be to interfere with *spiritual rights*, the answer would doubtless be, that the fault lay with those who attempted the impossible task of making a *perfect* partition of two incompatible forms of allegiance — in recognising the claims of two *local* and *visible sovereigns*, one foreign and one native. It is the glory of Christianity, that it is equally adapted to all nations and to all ages; and *in some way*, therefore, it must be capable of entering with prompt facility and flexible ease into combination with every form of government and polity. Now either the subordination of the temporal to the spiritual supremacy, according to the ultramontane theory, or the denial, on the part of the nations, of any such visible spiritual supremacy, will almost equally well serve to obviate the difficulty; but there is hardly any other way. Therefore, again, we say, that when our Roman Catholic friends have succeeded in reconciling us to the Roman Church, we shall probably pass far beyond the position of the British ‘Roman Catholics, and of the ‘semi-Protestant’ Bossuet.

If the anticipated triumphs of Romanism are ever to be realised, and the representations in Dr. Wiseman’s pastoral are to cease to be enormous figures of speech; if England is really to revolve in its radiant path round the ‘centre of Catholic unity,’ or, as Protestants at present think, like a satellite round the dusky orb of Saturn, the impediments stated in this article, and which we know operate extensively on English minds, require to be fairly met. They are scarcely less in magnitude, and certainly not less worthy of consideration, than any of a purely theological nature — if, perhaps, we except the doctrine of Transubstantiation, and that stupendous fundamental thesis of the whole papal system, that, because Christ said, ‘Thou art Peter, and upon this rock I will build my Church,’ *therefore*, every Bishop of Rome, through all time, was to be venerated as the supreme, and, as millions will have it, the infallible head of the universal Church! The chasm between the first and last proposition in the sorites into which this enthymeme is usually developed, is

pendent state or public body represents the political importance of the Governments on which it may depend. Where is lodged the political weight of the Greek Church at present? and how wielded?

prodigious ; and even were all the intermediate propositions — that Peter had some sort of primacy ; that Peter was ever at Rome ; that he was bishop there—as certainly true as they have every one been fiercely disputed, that chasm hardly seems, to the eye of the Protestant, diminished by these few trivial arches ; and the remainder of the bridge, he declares, is the unsubstantial segment of a rainbow supplied by fancy alone.

We have solicited the aid of the Romish Church in solving some of our difficulties ; yet, when all is done, we feel that there will be a whimsical difficulty in knowing how to deal with the solutions, — unless she will further enlighten our *judgment* as to how we are to refrain from exercising our *judgment* in the process of receiving or rejecting them. She tells us that the ‘right of private judgment’ is by no means to be exercised in matters of religion ; but the moment her advocates have said this, they begin, in a certain way, to *reason* with us. This presents a difficulty scarcely felt by one born and bred a Roman Catholic, because, from his infancy, the exercise of his private judgment in such matters has been reduced to a *minimum*, or altogether superseded ; but when addressed to a Protestant, the maxim sounds very like a contradiction. The maxim is one, from which a Protestant, in ease he infer anything, is apt to infer, either that every man must remain in the religious *caste* in which he has been born, and that proselytism is an impossibility ; or that the Roman Catholic should *not* give us any reasons for submitting to his Church — which, perhaps, is the safest course ; or, that, though he gives us reasons, he should at the same time tell us that they are *not* submitted to our judgment, and that we are to believe them without judging of them. The difficulty is well put in one of the ‘Cautions for the Times.’ The author says, ‘But the point which Roman Catholics love most to dwell on is the ‘weakness of private judgment, which they represent as a pre-‘vailing reason why we should rather give ourselves up to the ‘direction of an infallible guide Before a man can ‘rationally judge that he should *submit his judgment* in other ‘things to the Church of Rome, he must first have judged ; ‘1. That there is a God; 2. That Christianity comes from ‘God; 3. That Christ has promised to give an infallible au-‘thority in the Church; 4. That such authority resides in the ‘Church of Rome. Now, to say that men who are competent ‘to form sound judgments upon these points, are quite incom-‘petent to form sound judgments about any other matters in ‘religion, is very like saying, that men may have sound judg-‘ments of their own *before* they enter the Church of Rome, but

'that they *lose* all sound judgment entirely, from the moment
'they enter it.'*

* The 'Cautions for the Times,' now in course of publication, are well worthy of the attention, not only of Protestants, as a quiet, lucid, pithy statement of the principal difficulties on which they must seek the aid of the Roman Catholic Church, if they are ever to be converted at all, but they might repay the attention also of Roman Catholics themselves. The latter will there be enabled precisely to ascertain the perplexities in which their anticipated proselytes are at present involved, and will be qualified to shape their course accordingly. The extreme cheapness of these Tracts brings them within the reach of every one; and the candour and ability with which they are written ought to secure for them a very extensive circulation. There are many other publications, which the recent most voluminous controversy has called forth, well deserving of commendation; but we cannot enumerate all, and it were invidious to make a selection. A little book by Dr. Nevins, of Baltimore, called 'Thoughts on Popery,' contains an excellent chapter on Infallibility: It was written some ten or twelve years ago, but has been just published in this country by the Protestant Association.

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